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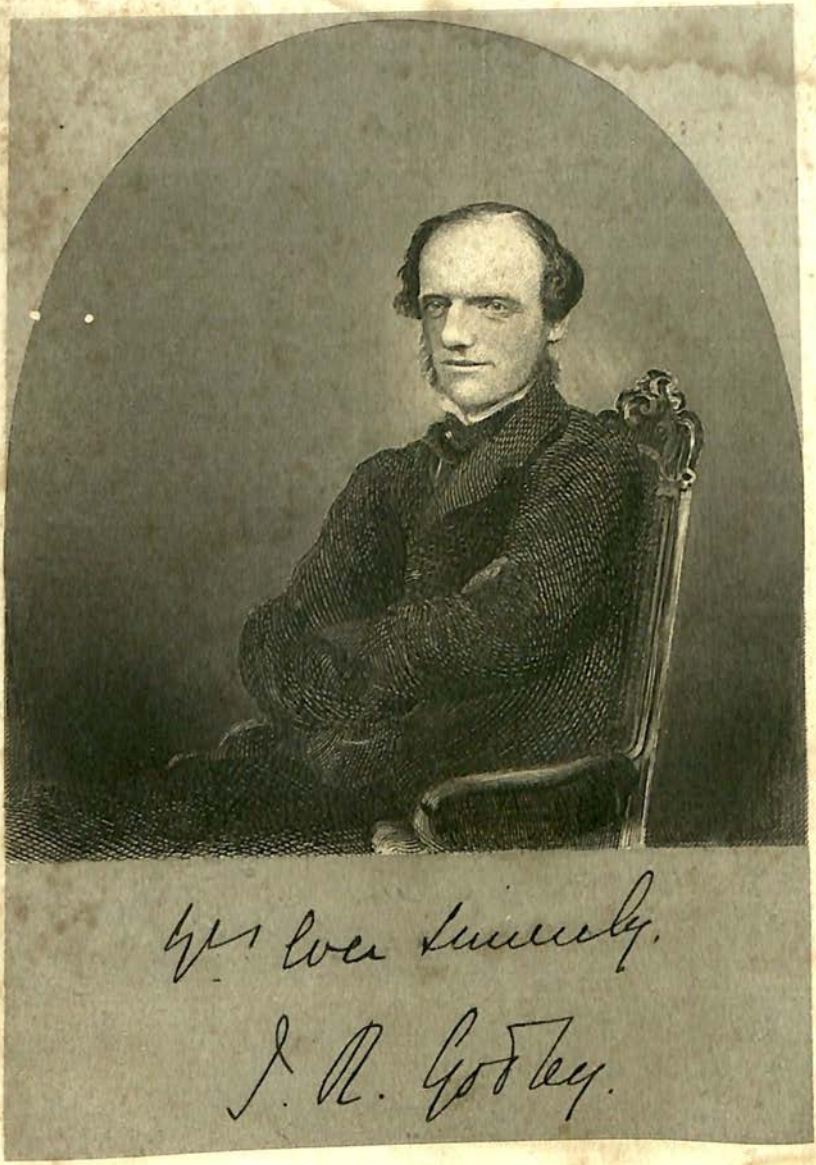
WRITINGS AND SPEECHES

BY

JOHN ROBERT GODLEY.



Yours Truly.

L. A. Godey.

A

SELECTION

FROM THE

WRITINGS AND SPEECHES

OF

JOHN ROBERT GODLEY.

COLLECTED AND EDITED BY

JAMES EDWARD FITZGERALD.

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"Glorious is the fruit of good labours, and the root of wisdom shall ------ fall away."—WISDOM iii. 15.

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TO ARTHUR GODLEY.

My dear Arthur,

I present you with this Memorial of your Father's work, not only in testimony of the love I bore him and the reverence in which I hold his memory, but in the hope that it may stimulate you to emulate a career of usefulness which was curtailed only by bodily infirmity. I regret that these few papers,—clear in thought, just in judgment, and resolute in action, as they declare the writer to have been,—should still depict so feebly that greatness of character which won the admiration and trust of his intimate friends, and which, had he been granted health and long life, we doubt not the world would one day have recognised.

I am, my dear Arthur,

Your affectionate Friend,

James Edward FitzGerald.

Christchurch, New Zealand,
October 1, 1863.

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JOHN ROBERT GODLEY.

The following brief sketch of the subject of this volume has been taken, with few amendments, from a memoir of Mr. Godley, which appeared in the 'Press' newspaper of the 29th June, 1862, published at Christchurch in New Zealand.

Of the seventeen thousand souls who now inhabit this Province of Canterbury, not more than one fourth had made it their home, when the great man who is the subject of this memoir sailed for England in the month of December 1852. Even of that number comparatively few had had the opportunity of that personal intimacy which reveals the mind and character of a man to his friends: and yet there is probably not one amongst us to whom the name of Mr. Godley is not known, and by whom it is not revered, as the founder of the Canterbury Association and of this Province of the colony of New Zealand.

John Robert Godley was the eldest son of Mr. Godley of Killigar, a gentleman of good landed property in the country of Leitrim, in Ireland. His mother was a sister of the Right Rev. Robert Daly, Bishop of Cashel. He was born in the year 1814: and was sent first to Mr. Ward's preparatory school at Iver, and thence to Harrow, where he was the successful candidate for the Sayers Scholarship in 1831. He declined to avail himself of the honor awarded to him, as he wished to go to Oxford, and in the

following year he obtained the Governor's Scholarship and was admitted to Christ Church, Oxford, where he subsequently obtained the Fell Scholarship, and took a second class in classics on his examination for degree in 1835.

After leaving the University, he studied for the law, and was called to the English bar. He held, however, but few briefs, regarding the practice of his profession with less interest than its principles, with which he was thoroughly conversant: that part, especially, of a legal education which bears upon the science of politics, he had deeply studied: politics, in the highest and widest sense of the term; not as applied to the dogmas of party in one country and in one age, but as involving the art of governing men under various circumstances and different social conditions,—this was his peculiar study; and that, not merely in the library and the office, but by personally observing the operation and effect of government in various countries. He travelled not only in those European States which most English gentlemen visit, but in Norway and Sweden; and a book which he published at an early age upon America, shewed how attentively he had observed men and things in the course of a visit to Canada and the United States.

His 'Letters from America,' which were published by Murray in 1844, speedily attracted the notice of political men on both sides of the Atlantic, from the ability and independence of thought they evinced.

The first step which brought him into notice as a public man, was the preparation of a plan for meeting the awful crisis of the Irish famine by a large scheme of emigration. His proposal was to borrow a large sum of money, we believe about ten millions; to locate a million persons in a district in Canada to be set apart for the purpose; to charge the debt upon the landed property of Ireland, and to provide for the interest by an income tax: the income tax at that time not extending to Ireland. The proposal was explained and elaborated in a memorial to the Prime Minister, which appeared in the 'Spectator,' and was much criticized by the leading journals. It obtained the extraordinary success of being approved by men of all parties, and received the signatures of a very large number of the nobles and gentry of Ireland of all creeds, and of every shade of opinion; a unanimity very rare at that time in that country. The Minister pondered over the scheme for ten days, and finally rejected it. It was too large an experiment for a government which never really believed in the full extent of the Irish famine until it came with all its horrors on that ill-fated country. Mr. Godley proposed to convey a million souls to Canada: more than a million lay down and died, and a still larger number emigrated to the United States before that terrible crisis had passed.

Mr. Godley attended zealously to all local county business when required, as a Magistrate, Grand Juror, and Poor Law Guardian, and in 1847

he stood for his county, but was defeated by Mr. Tenison of Kilronan. It may be considered fortunate for his subsequent career, that he was unsuccessful. His friends and his interest in the county were amongst the Irish Protestant and Tory party; a party in whose traditions he had been educated, but with whom, as his mind developed itself, he had little agreement in opinion, and no real political sympathy. Not that he coincided with the opposite party; but in Irish politics he was very far in advance of his age. He was violently opposed by the Catholics, headed by the well known father Tom Maguire; not from personal dislike or distrust, for he was respected by all; but because his election would have been regarded as the triumph of the Tories. As a proof of the extent to which he had won the regard even of his opponents at that period, Father Tom once said to the writer of this memoir not long after the election, "It would never do to have the county represented from Killigar, but Mr. Godley is a very able and rising man, and we will get him in some day for a borough." A remarkable homage to his influence after a bitterly contested election.

There was another reason why Mr. Godley's defeat may be regarded as a fortunate event. The fatal disease, which crippled his remarkable powers during the last ten years of his life, had begun to make its appearance, and an affection in the throat rendered the task of speaking in public, and often even in private, difficult and painful. Looking to his sub-

sequent career it seems more than probable that the excitement and exertion of speaking in parliament must have still further curtailed a life which was providentially preserved for a different end.

The event which probably exercised the most important influence upon Mr. Godley's life was his introduction, we believe somewhere about this time, to that remarkable man who exercised so great an influence over all who came within the sphere of his powers—we mean Mr. Edward Gibbon Wakefield. Mr. Wakefield had already been attracted by Mr. Godley's work upon America; and Mr. Godley, on the other hand, had studied with intense admiration the vigorous writings of the most eminent writer upon colonization. The result of this acquaintance was the scheme for founding Canterbury. Mr. Wakefield—whose continued ill health and long seclusion from public life entitles us to speak of him as of one who is gone*—was more than a theorist. His large practical mind was never satisfied except in the realization in action of the doctrines which it had been the object of his life to propound as theories. The foundation of the New Zealand Company, and, through it, of the settlements of Wellington, Nelson, and New Plymouth, under difficulties which probably no other man could have surmounted, was the work in which he had been engaged for several

* Mr. Wakefield died at Wellington, since this memoir was written, on May 16, 1862.

years, and under which his health at last had broken down. For two years he was reduced to death's door; but as he gradually recovered something of his former vigor and energy, he lent his powerful mind and great practical experience to the scheme for founding Canterbury. The New Zealand Company, however, had fallen into irretrievable pecuniary difficulties, and was hopelessly incapable of undertaking any further operations out of its own resources. Aided by external influence, it was thought it might possibly still continue its work, because Parliament had vested in it two-thirds of the Waste Lands of the Crown in New Zealand; and it was at this juncture of its affairs that the Canterbury scheme was brought into the world. Mr. Wakefield, although no longer a Director of the New Zealand Company, had still sufficient influence amongst the shareholders to control its action; and it was owing to his exertions that the Company, even in the then desperate state of their fortunes, was induced to lend itself to the formation of a new settlement in the Middle Island. Mr. Godley, however, was the author of the particular design on which Canterbury was founded, and especially of that distinguishing feature of the colony, which required that ample funds should be provided out of the proceeds of the land sales for the religious and educational wants of the community about to be established. Mr. Godley, too, was to be the workman of the whole: and for this purpose it was arranged that he should become a Director of

the New Zealaud Company,—qualifying himself for that office by purchasing the requisite number of shares—and should become at the same time the Managing Director of the Canterbury Association, in order that he might conduct all the arrangements between the two bodies. But the principal part of the task which devolved upon him, and which was all his own, was the labor of bringing to the scheme a sufficient amount of influence to secure the formation of the new colony. It is a noteworthy fact that most of the working members of the Managing Committee of the Canterbury Association were his own personal friends and fellow collegians at Oxford: such, for example, as the present Earl of Devon, Lord Richard Cavendish, Sir John Simeon, Sir Walter James, Mr. Charles Wynne, Mr. Somers Cocks, Mr. Adderley, Mr. McGeachy, and some others. Lord Lyttelton was a Cambridge man, and had become acquainted with Mr. Godley later in life. But the large array of names of men of high rank and position in the country who became members of the Association, proved how widely the influence of the founder had made itself felt amongst the intellect and worth of the country, and how much confidence was already reposed in his ability to conduct this scheme to a successful issue.

During the two years in which Canterbury was being created, Mr. Godley was a regular contributor to the columns of the 'Morning Chronicle,' a journal at that time esteemed the principal authority upon all colonial questions. None who remember the state of Canada

at that period can forget the articles which daily appeared in the columns of that newspaper. During the same period Mr. Godley occupied a prominent position as one of that band of colonial reformers, to whom the whole group of the Australian colonies is indebted for the constitutional liberty which was ultimately bestowed upon them. Few men, not having a seat in Parliament, have been so anxiously or habitually consulted as to any policy to be pursued or step to be taken by the party to which he belonged; and his acquaintance with many of the leading statesmen of the day, with Mr. Gladstone, the Duke of Newcastle, Sir William Molesworth, and others, afforded him ample opportunity for urging his views upon colonial policy in quarters where clear views and sound judgment were sure to be appreciated and valued. In 1849 symptoms of consumption became so apparent that he was ordered by his medical advisers to leave England for some time, at all events for the ensuing winter; and Madeira was the place pointed out as likely to be most beneficial. But idleness in Madeira would have been a worse disease than the malady under which he suffered. Work was a necessity of his nature; and as the scheme of the Canterbury Settlement was fairly on its legs in England, and it was anticipated that the first body of colonists would sail for New Zealand early in the following spring, he was induced to go thither at once, to prepare for their arrival. He therefore sailed for the colony

early in December, 1849. On arrivng at Port Lyttelton he found that the whole of the funds at the disposal of the Association had been expended, indeed considerably exceeded, by Captain Thomas, the agent who had been sent out to select the site and to direct the necessary surveys for the new colony. Mr. Godley had no course open to him but to stop at once all further expenditure until he should receive fresh advices from England. There was nothing to be done at Lyttelton in the entire absence of means; he therefore proceeded in the same ship to Wellington, and remained there until the close of the year.

It is not our wish in this brief memoir to enter further into the history of these times than is necessary to explain the part which Mr. Godley took; but, as he was at the time subjected to some unkindly criticism for his long residence at Wellington in 1850, it is necessary to enter somewhat fully into the circumstances which led to it. The whole scheme of the Canterbury settlement was founded upon the idea that funds would be provided, by the sale, in England, of the waste lands in the colony, sufficient to provide for the engagements into which the Association had entered with the New Zealand Company on the one hand, and with the colonists on the other. The large sales of land effected at the founding of Wellington and Nelson, afforded reasonable ground to hope that there would be no difficulty in raising money in a similar manner at Canterbury. When Mr. Godley

left England it was intended that the first body of colonists should sail not later than three or four months after him; but these expectations were not realized. Some relaxation of the exertions indispensable to success appears to have taken place after his departure, and it was not until the whole scheme was on the verge of abandonment, that Lord Lyttelton brought his strong intellect and resolute will to rescue it from destruction. He became Chairman of the Managing Committee in the spring of 1850, and kept his hand on the reins until the end of the journey. The result of difficulty, however, was, as usual, delay. The day for selling the land and starting off the colonists was again and again postponed; and even when the day arrived, the funds raised fell miserably short of the anticipated and requisite amount. In this emergency Lord Lyttelton, Lord Richard Cavendish, Sir John Simeon, and others, came forward again and again, with advances out of their private fortunes, to the extent not of tens or hundreds, but of *thousands*, and *tens of thousands*, to save the scheme from ruin. When we look back at those times, and ask what motive could have operated to stimulate these not foolish or imprudent men into liberality so unwonted in our commercial days—what it was, which induced men, by no means rich for their position in life, to lay down such large sums when they could have had but a very dim and uncertain prospect of any return, and when the idea of profit was never dreamt of—there is but one answer; and we

believe it is the true one; it was their strong affection for the man who had induced them to join the scheme, and the determination that, in his absence, he should not be deserted. The work of his life was in peril; and, be the loss to them what it might, it should not be allowed to fail for want of timely aid. There can hardly be any stronger proof of the wonderful influence which Mr. Godley had acquired over his personal friends, than this willingness to incur such large sacrifices for the sake, not even so much of himself, as of his idea. Rarely indeed do college acquaintances ripen into such noble and absorbing friendships in after life.

It was owing to these circumstances that the colonists, who were to have sailed in the spring, did not sail till the autumn; and that Mr. Godley, who, when he started, had no idea that the funds in the colony had been exhausted, found himself absolutely penniless, and without the power of taking any step whatever in furtherance of the object for which he had come to the colony. The order to stop all expenditure at Lyttelton was one of simple honesty; because every bill which he must have drawn must have been met out of the private resources of the members of the Association, or have been dishonored. Until the land sales began there was absolutely no means of knowing whether the colony would ever become a reality at all. Mr. Godley therefore saw that he had no duty but to wait; so he went Wellington, and there bided the course of events.

But political inaction, when there was work to be done, was an impossibility to him. The year 1850 was an important one in the history of Wellington and of the colony. Sir George Grey, the then Governor, had two years before suspended the constitution of Lord Grey, and was virtually the despotic ruler of the colony. He was conducting the government at Wellington, and had come there mainly for the purpose of inducing the people to accept a form of constitution which he had devised, and wished to propose in the place Lord Grey's. The question for or against the proposed constitution was under discussion when Mr. Godley arrived. He at once took a strong part against it. It seemed to him a sham, and that it would secure no real constitutional government to the people. The whole vigor of his mind was lent to the work of defeating the proposal of the Governor, with what success we all know: the sham constitution was rejected, and the old form of government lasted until Sir J. Pakington's Bill was passed in 1852. In November 1850 he was called from Wellington by the intelligence that the first colonists had sailed for Canterbury in the September of that year; and he at once took up his abode at Lyttelton to await their arrival.

From the 16th December, 1850, to the 1st December, 1852, when he sailed for England, he was, in all but the name, the governor of the settlement which he had originated and formed. Such a career is not granted

to many in this life. Most men are but the agents to carry out the schemes of others, or are compelled to see the plans they have formed put into action by agents who but partially comprehend them. It was given to Mr. Godley to design Canterbury, and to be the agent of his own design. What he was amongst us during the first two years of the settlement, some of us remember, and most of us know by tradition. Not with coffers full, and facilities abundant, but in poverty of funds, amidst great difficulties, amidst much discontent, amidst the disappointment of many sanguine expectations, and the ill concealed hostility of a Government which appeared vexed at the additional trouble imposed on it by the founding of a new colony within its jurisdiction, Mr. Godley guided the infant fortunes of Canterbury, in the full and entire conviction of the result which must one day come.

It would be unfair were we to avoid mentioning some of the difficulties—it may perhaps be said the mistakes which he committed—in his New Zealand career. It was a matter most deeply regretted by all, that in consequence of some disagreement between himself and Captain Thomas, the first Agent and Surveyor of the Association, Mr. Godley was compelled to remove him from his office. We mention this solely for the purpose of adding that, in 1859, Captain Thomas, who was then in London, called upon Mr. Godley at the War Office, and expressed in the most frank and generous manner his regret for his share in that disagreement. The result of that interview was a complete and entire reconciliation and a long conversation, mutually inter-

esting to each, upon the progress of the settlement which both had so much at heart. It will be equally gratifying to the friends of both to know, that this one unfortunate difference which Mr. Godley had with any of those who served under him, was thus some years afterwards concluded in a manner so honorable to both. Mr. Godley used to mention it as one of the most thoroughly gratifying events of his life—the blotting out of the single unpleasant memory connected with Canterbury..

The first step which Mr. Godley found himself called on to take in the colony was to reverse the land regulations of the Association, as regarded the occupation of unsold land for squatting purposes. The original regulations of the Canterbury Association contemplated the occupation of the land under lease, as a privelege attaching solely to the purchasers of land. No sooner had the settlers landed, than colonists from Australia began to arrive with their flocks and herds, and to claim runs, on which to depasture their stock, after the usual Australian manner. Mr. Godley felt at once that a great practical difficulty had arisen. He had no power to grant these runs, and he plainly saw that it would be ruinous to the interests of the new born settlement to drive away the capital and the colonial intelligence and experience which was being imported from the neighbouring colonies. He took upon him at once to reverse the regulations of the Association and to establish new ones applicable to the circumstances of the colony. But even then, he would not violate the most cherished political principle of his life

—the responsibility of those in power, to the people for whose benefit power is held in trust. There had been established a society consisting of all the land purchasers, which formed at starting something like a representative body of the resident colonists. Mr. Godley submitted to 'The Land Purchasers Society' a set of regulations for squatting; undertaking to put them in force, and guaranteeing the assent of the Association at home to their provisions. But he required as a condition, that 'The Land Purchasers Society' should agree to the course he proposed. The resolutions were moved by Mr. FitzGerald and carried. The terms upon which runs were to be held for pastoral purposes, were fixed to the satisfaction of the Australian squatters who had recently arrived; capital and stock continued to flow in, and the ruin, which was inevitable had the Agent rigidly adhered to his instructions, was averted. Mr. Deans of Riccarton, a very shrewd and far-seeing man, used frequently to remark that Mr. Godley had saved the colony. The correctness of Mr. Godley's judgment is evidenced by the fact, that subsequent experience and discussion have tended to maintain, almost intact, the system then established. It received its final sanction, modified in some matters of detail, when the Land Regulations at present in force were adopted by the first Superintendent and Provincial Council in 1855.

Amongst other difficulties which he had to encounter and which involved him in very unpleasant duties, were those arising from the claimants to land at Akaroa, under the French Company. It was thought at the

time that Mr. Godley looked upon those claimants with a jealous eye, and was hard and somewhat unfair in his mode of dealing with them. The fact was far otherwise. He had simply a law to administer, and, right or wrong, he did no more than duty required of him. It was much to be regretted, that the then Governor of the colony, who knew that these claims were not defined or surveyed, and that the Canterbury settlers were about to occupy the country, neglected to send down a competent commissioner and surveyor to settle the claims before the new colonists arrived. Mr. Godley would have declared Akaroa to be a township, but he found that a special undertaking had been given by the Association to the colonists, that no new town should be laid out. The object of this was of course to enhance the value of the town lands in Lyttelton and Christchurch. Mr. Godley could not therefore break faith with the colonists; nor could he prevent the holders of rural land orders under the Association, from occupying any land not previously included in a grant from the crown, or included in a town under the existing terms of purchase: had he attempted to do so, the holder of every such land order, might have obtained damages against him in an action at law. All he could do, he did; which was to warn those who selected land at Akaroa, that there were claims of which he knew nothing, and which would, if proved to be good, take the precedence of the Association's land orders.

There was indeed, one case in which he undoubtedly committed an error: we record it, as an instance of the frank and unhesitating manner in which he ever

acknowledged and corrected a mistake the moment it was discovered. The Commissioner of the Government claimed a piece of land which had been selected and occupied at Akaroa, on the ground that it had become the property of the Crown by an exchange for other lands. Two or three gentlemen on returning from Akaroa, where they had been spending a few days, went into the Emigration Office at Lyttelton, and were telling the story, when Mr. Godley, who overheard the conversation from the inner room, instantly came out and said, "I am afraid that is a good claim; I had quite forgotten it." He had, in fact, in his possession a copy of the deed referring to the parcel of land in question, but it had wholly escaped his memory. The deed was at Christchurch, in the Land Office. He immediately rode over and obtained it, returning with it to Lyttelton in less than three hours. On discovering that the claim was good, he went to Akaroa, explained the circumstances to the holder of the property, and advised him to go at once to Wellington in order to see Sir George Grey, and endeavour to obtain a grant of the land from the Crown. The advice was taken, and though not at the time, yet ultimately, the application was successful. But no one regretted more than Mr. Godley, his inability to prevent the obvious unfairness of allowing the original town of Akaroa, on the faith of which the French settlers had bought small town sections, to be overrun by selections of land under the Association's land orders.

Mr. Godley's career in the colony was not a wholly unembarrassed one. The second year of his adminis-

tration was clouded by circumstances peculiarly distressing to himself, although little known or understood in the colony. The one great evil in colonial government which he laboured so long to encounter and remedy, was the retention of all the ultimate powers of government in the Colonial Office at home. The form of constitution in a colony might be a question open for discussion, and subject to variation in different countries and under different circumstances; but as to the powers of Government, whatever they might be, being *localised,* that, he conceived, admitted of no dispute or question. "I would rather," he wrote once to a friend, "be governed by a Nero on the spot, than by a board of angels in London, because we could, if the worst came to the worst, cut off Nero's head, but we could not get at the Board in London at all." The words are quoted from memory, but they are not very different from what was written. This, then, having been the point in all colonial policy upon which he had ever most earnestly insisted, it was with peculiar distress that he found the Canterbury Association pursuing a course of policy which he regarded as identical with that which he had ever most strenuously opposed. He felt that the Managing Committee in London was virtually constituting itself a new Colonial Office, and repeating in another form all the errors of that department. It would be improper, as it is unnecessary, to enter upon the question, whether he were right or wrong. We are only concerned at present with stating, what it is due to his memory to record, the views which he entertained on the subject. That he

deeply and keenly felt this difference of opinion between himself and all his nearest and dearest friends none who knew him during the winter of 1851 can ever forget. The debt of gratitude he owed them, the generous sacrifices they had made to save his work from failure, constituted ties of no ordinary strength; but Mr. Godley was one with whom the idea of principle and duty overruled all other feeling; and when the new Bill which the Association had passed through Parliament arrived in the colony, enacting, amongst other things, that the Association might *nominate* a board of colonists, to exercise certain of its powers in the colony still retaining in its own hands many of those powers which he thought ought to have been localized, he felt that he could no longer conscientiously continue to carry out a policy so utterly at variance with the principles and purpose of his life. So deeply did he feel this, that he was on the point at one time of sailing for England, leaving his family here, with the sole object of trying in the course of one month spent at home, to persuade the Association to alter its whole course of policy, and to place the administration of its powers in the hands of the colonists themselves. But he could not desert his post: he therefore formally resigned his office as agent of the Association, praying them to appoint a successor without delay. It is needless to say that the Managing Committee in London delayed accepting the resignation. The Association had indeed almost completed its work. Its members were strenuously engaged in pushing on the Constiution Act for New Zealand, and they took powers in

that Act for transferring all their privileges and functions, as a loyal chartered corporation, to the Superintendent and Provincial Council about to be constituted in the colony. Not only officially, therefore, but by urgent private solicitations, was Mr. Godley requested to retain his office until the end of the time for which he had originally engaged to act in the colony; and he did so.

Indeed, the occasion of his difference of opinion with his friends at home had passed away. The Constitution Act was passed in the summer of 1852, and arrived in the colony about August or September in that year; and it was clear to all that the Association was about to be merged in the local government, so soon as the latter should have been constituted.

When it was known that he was about to leave, he received an address, very generally signed, requesting him to stand for the office of Superintendent; but he declined — he had made arrangements for leaving England for only three years — his work was done — the colony was formed — new powers of local government were about to be entrusted to it, and he felt entitled to obey the call of family and friends, which required his presence in England. He left us on December 22, 1852. Notwithstanding the hostile criticism of the London 'Times,' Mr. Godley had become known, not as a dreamer and enthusiast, as he was sometimes spoken of when the scheme of Canterbury first appeared, but as a man of practical wisdom, who could mould a theory to the exigencies of real life,

and could carry into effect in practice what he designed in the study.

He had not long returned to England when Mr. Gladstone offered him, unasked, a Commissionership of Income Tax, in Ireland. He was shortly after transferred to England; and, upon the remodelling of the War Office, was placed at the head of the Store Department. A fresh change found him in the Secretary's office, and before long Assistant Under-Secretary at War, which office he held, under the successive Secretaryships of Lord Panmure, General Peel, and Lord Herbert, until the time of his death.

But his connection with Canterbury did not cease with his residence amongst us. In 1854 he was appointed to be the first English agent for the province, but resigned in 1856, feeling the office to be incompatible with the duties imposed on him by his appointment in England. He never, however, refused his assistance or co-operation in anything in which Canterbury was concerned. More than once, when emigration was suspended for want of funds, he came forward and made himself personally responsible for the advances required to carry it on according to the wishes of the Provincial Government. In 1860 the disease in his throat, which had almost entirely disappeared under the genial climate of New Zealand, made its appearance again, accompanied by great loss of strength and a general failing of vital power. Early in the spring he went for a short holiday to Italy, visiting most of the Italian towns, and seeing most of the eminent men of that most stirring period of

European history. After travelling for four or five weeks he returned to England, wearied and emaciated, instead of rested and relieved, by his trip. A severe attack of sciatica confined him to his bed, and a visit to the hydropathic establishment at Malvern failed to afford the benefit to his health which he had once before experienced from the same remedy. After some weeks' residence at Filey, in Yorkshire, he returned to his office, which he never after failed to attend for a single day during eight months—eight months of continued suffering, during which he never swallowed and rarely spoke without pain; fulfilling to the last the leading idea of his life—the idea he ever endeavoured to impress upon others—the comfort and *nobility of work*. Even in his last illness, when confined to his bed, he had his work brought up to him from the War Office, morning and afternoon, and attended to it as regularly as if he were in his own office in Pall Mall. Like his friend, Lord Herbert of Lea, he might, no doubt, have prolonged a valuable life by the abandonment of responsible and anxious labours, and the enjoyment of luxurious repose. But with such men life is work—not to work, is to give up all that makes life worth having. In harness to the last, labouring on in the sphere in which duty called, struggling with the irritation of pain, and manfully bearing up against the lassitude of disease,—such is the evening of life with men like Lord Herbert and John Robert Godley. But they have both

"Past
To where beyond those voices there is peace."

His last work in life was not his least. The Report of the

Departmental Committee on the Military Defences of Colonies has been frequently alluded to in the public journals. As a state paper, indicating and justifying a proposed fundamental change in the policy of the empire, we have never seen the document which surpasses it: short, clear, logical, and convincing, it at once made an impression upon the country and Parliament. A Committee of the House of Commons adopted its main views, and newspapers, from the 'Times' downwards, reiterated his facts, and expanded his arguments, with as much fluency and self-complacency as if their views were original. Mr. Godley attended before the Committee in the Session of 1861, and his evidence, even to the most casual reader, is striking in the extreme.

As a writer Mr. Godley was not brilliant; he was not witty or imaginative, although he delighted in those qualities in others. His style was grave and somewhat severe, but concise and logical in thought, and simple in expression. As a thinker he was remarkable for the resolution with which he followed out his reasoning to its legitimate issues; and thus he often arrived at conclusions instantly, which other men adopt only after becoming habituated to an idea from which they first shrank with alarm. But his best writings unquestionably are contained in his private correspondence. That correspondence must have been very extensive, and must have included letters on public matters addressed to some of the most eminent statesmen of the day. We cannot but express a hope that this correspondence may some day be collected and given to the world.

In matters of religion he was thoroughly sincere

and devout; indeed for such a mind, there could have been no other resting place. Had he not been a true christian, he must have been an infidel. His honest and courageous intellect could never have rested for an hour in a half faith, acquiesced in from habit, or fashion, or dread of enquiry. His religion was entire conviction, and he acted upon it consistently. But his real power as a public man he was never permitted to wield. It was as a public speaker that he was most qualified to shine; and as a speaker he was physically incapable of succeeding. The speeches he made were very few: one or two at public dinners in England and in the colony; one at Wellington, one at the first public meeting held in Lyttelton, one, not reported, on the occasion of laying the stone of the first church in Lyttelton, and one at his farewell breakfast in Hagley Park. Some of us heard these striking orations; but those alone who have been in the habit of constantly listening to the leading and most practised orators of the day, can form an adequate idea of the vast latent power indicated by these few speeches, delivered by an entirely unpractised speaker, and upon occasions generally the least favourable to elicit the highest oratorical powers. Mr. Godley's speeches, like his writings, were far from *brilliant;* nor did he perhaps possess that greatest of all powers in an orator—a flow of thoroughly impassioned eloquence. Whether he were capable of using the lash of satire, we do not know; he had never the opportunity to attempt it. But one quality he possessed in a degree entirely unrivalled by any speaker we have ever listened to,

except perhaps Mr. Gladstone—the rare quality of an earnestness not simulated: not the trick of an actor, but real and heartfelt, which carried conviction to the mind of the hearer. In simplicity of language he was no doubt surpassed by John Bright; in fluency and versatility in dealing with and adorning an idea, his most practised efforts would never have borne comparison with the copious stream of Gladstone's rhetoric. But, on the other hand, he never overloaded an idea. He was always emphatic, clear, and logical; and, to say all in one word, he was on the whole the most convincing speaker we ever listened to. It is concealed in the mysterious councils of the Highest Wisdom alone, why such great powers should have been at once bestowed and curtailed—why the mental and moral capacity should have been limited by physical infirmity. It may be that the forced suppression of conscious power is not the least important part in the discipline of a noble mind. It was certainly true, in Mr. Godley's case, that he never attained the position for which he seemed most peculiarly adapted, that of the parliamentary orator and statesman.

He had ever the utmost respect for the public press. The London 'Times' was sent to him regularly by every mail, whilst in New Zealand; and he read it, not rapidly and desultorily, but regularly and thoroughly —one paper every morning at breakfast time, just as he used to do in his home in London. But the 'Spectator' was his favorite paper, not only for its own sake, but out of respect for the opinions of its editor, the late Mr. Rintoul, whose valuable friendship

he long enjoyed, and thoroughly appreciated. Nothing in the landing of the first colonists gave him greater pleasure than the arrival of the presses, types, and plant, for publishing a newspaper at once in the new settlement; but he never, except once or twice, used his own pen in its pages. It was impossible, however, that the then editor of the 'Lyttelton Times,' should live, as he did, in constant intercourse with so great a mind, and of necessity in the constant discussion of every topic of interest to the colony, and should fail to feel the influence of such companionship. In the opinions advocated by that journal for the first two years of its existence, though not in its style or manner, may be traced much of his peculiar habit of thought, and many of his political views. But he loved beyond all things fairness in discussion; and upon the occasion of the collision between the Canterbury Association and the colony, to which we have referred above, when the 'Lyttelton Times' was advocating the colonial view in a series of articles, perhaps somewhat one-sided in their arguments, Mr. Godley wrote anonymously a letter to that paper, stating in forcible language the Association's view of the question. The letter was reviewed in the following leading article, and the article was answered by another letter. But, though living in hourly intercourse with the editor, and daily discussing the letters themselves with him, the latter never discovered the real author, until it was revealed to him by Mr. Godley himself, the day before he left the colony. Apart from the practical joke, which highly delighted him, he had

gained his object, namely, that the other side of the question should be stated and fairly discussed as the view of a third and independent party, which would not have been the case had he taken part in the argument as the agent and partizan of the Association.

Upon the arrival of the New Constitution in the colony Mr. Godley never concealed his opinion that the bill had been sadly spoiled by the provision for the popular election of the Superintendents of provinces. He had seen too much of the election of executive officers in America, and had too deep-seated a love for the people, and too earnest a conviction of the necessity of their taking a part in the government of the country, not to see that the door was opened wide for the destruction of popular power by popular election. His political instincts led him to a conclusion which has since then been illustrated and enforced upon all, by the adaptation of the machinery of universal suffrage to the creation of an imperial tyranny in France, and, more recently, to the sanction of a still worse form of tyranny in the United States of America.

For the first year, until Captain Simeon's arrival, Mr. Godley was Resident Magistrate as well as Agent of the Association, and after he resigned the former office, he was always elected by the magistrates to be chairman of the Bench. His education as a barrister, together with his experience as a county magistrate in Ireland, combined to make the performance of his duties on the bench somewhat different from what is often seen in the colonies. His only

fault as a magistrate was, that he was too rapid for his audience; diving at once into the intricacies of a case, and pouncing upon the weak points on either side with unerring accuracy of judgment, he had often arrived at a conclusion before those interested in the case had mastered the premises. But even this rapidity in dealing judgment, which could not but sometimes create dissatisfaction, never shook the faith of the public in his entire and uncompromising justice.

In manners Mr. Godley was not always popular: he was often very thoughtful and abstracted; sometimes, for example, going on with his writing when a stranger was waiting to speak to him, and so gaining credit for a haughtiness and discourtesy which was really utterly foreign to his whole character. But it was only those who were casually and occasionally brought into contact with him, who carried away such an idea of his disposition. To those who knew him, especially to those with whom he was intimate, he was a delightful and cheerful companion and a tender and affectionate friend. Indeed his great capacity for attaching men to him is permanently written in the existence of this colony. But for the strong personal attachment of his friends, inducing so many to make pecuniary sacrifices rarely heard of in these days, the difficulties in the way of founding Canterbury could not have been surmounted. He was generous and charitable not only from disposition but from principle; and there are not a few still here, who could tell to what an extent, and with

what discrimination, he used the limited wealth at his disposal to benefit those around him.

But there was one feature in his character which was not a popular one, and which he never cared to conceal or control, and that was his unmitigated hatred and contempt for humbug of every kind: whether it appeared in the form of dishonesty in money matters, or hypocrisy in religion, or of corruption in public life, or, what is still common enough with us, of vulgar pretension, it met with little mercy at Mr. Godley's hands. Honorable himself up to the loftiest standard of chivalry, he shrunk instinctively from anything like trickery public or private in other men. Such a man is sure to be hated and feared by some, so long as deceit and fraud shall find a resting place upon earth. What Mr. Godley was to this place we shall perhaps never fully know until the day when the secrets of all hearts shall be revealed. It is mere folly to shut our eyes to the fact that the standard of honor and of manners in a small colonial community has a tendency to fall. The tastes, habits, feelings and manners, unavoidably degenerate in a state of society where so many of the checks which custom has reared in older countries are suddenly removed. Against all this Mr. Godley's house and home was a standing witness. Men of immoral habits be excluded from his table, and in one instance adhered to the rule even where high rank would have influenced a less conscientious man to make an exception. The example and influence of such a man in so small

a community must have been great beyond measure. That he had his faults and made mistakes, need not be denied, but this is not the occasion on which to remember the one or record the other. "The evil that men do lives after them; the good is ofttimes interred with their bones." It is our task to recall the latter. As in the Akaroa case mentioned above, he was never slow to acknowledge an error.

He had not the comprehensive intellect of a great philosopher, nor the fire and fancy of a great poet, but he had the mind of a practical statesman, clear foresight and wise judgment, with a resolute will, unimpeachable integrity, and a chivalrous sense of honor. Such was John Robert Godley, and those who knew him well will ever think that they never saw a nobler man.

A notice of Mr. Godley's colonial career would be very incomplete if it were to omit all mention of one who took no small share in his labors. Mrs. Godley's residence in the colony was not necessarily an agreeable one. It was not an enviable position for a lady who had always lived amidst the luxuries which accompany wealth, and the gentle courtesies which surround high birth, to submit to the discomfort and inconvenience inseparable from the founding of a new settlement. It has been our misfortune to hear many ladies in this country, even those who have left straightened circumstances and precarious prospects at home, for rough plenty and the promise of wealth here, grumble in no measured terms at the indignities to which they considered themselves to be

subjected—"so different from what we have been accustomed to." Those who knew Mrs. Godley, not only casually, and as it were under the disguise of company manners, but in the most retired relations of home, never heard her utter a complaint, or pretend to despise the tasks in which she had to engage, or the people with whom she was often compelled to associate. The humblest of those who were brought into contact with her

> "found
> Instead of scornful pity or pure scorn,
> Such fine reserve and noble reticence;
> Manners so kind yet stately, such a grace
> Of tenderest courtesy"——

She, like her husband who is gone, could understand how the little offices of daily life become sanctified and ennobled by the name of duty. She, too, believed in the nobility of work, and what her hand found to do she did it with all her might. She left us the example, how it is possible, in the midst of harassing cares and unwonted discomfort, to be gentle and serene, and cheerful and uniformly courteous to all; and how little it needs of worldly wealth to create the purest type of an English home upon the shores of a scarcely inhabited island. Ought we thus to speak of one whose eyes these pages may one day chance to meet? or may not a separation which is probably for eternity plead forgiveness for the intrusion? Had he lived it might have been otherwise: for he ever looked forward to visiting at some future time the scene of his labors, in the company of some of those who so nobly sustained him in his work. But

from us now, she, too, stands separated by a gulf scarcely less wide and deep than that which he has crossed for ever.

On the 1st of October, 1862, the Superintendent of the Province, in opening the annual session of the Provincial Council, introduced into his speech the following words :—

"It is my intention to request your approval of the erection of a pedestal and statue commemorative of the services of the venerated founder of the Canterbury settlement."

And upon the 28th of October, the Council passed the following resolution without a dissentient voice :—

"That this Council, desiring to record its deep sense of the loss which the Province of Canterbury has sustained by the death of its founder, and deeming it right to preserve for ever amongst the inhabitants of the Province the memory of labors to which it is so deeply indebted, as well as an example of worth and excellence in private life, and of wisdom and uprightness in the administration of public affairs, resolves—that a statue of the late John Robert Godley be erected in the city of Christchurch, in such public place as his Honor the Superintendent shall direct; and that his Honor the Superintendent be respectfully requested to take such steps as may be necessary to carry this resolution into effect; and this Council undertakes to make due provision for the cost of such a work out of the public revenues of the Province."

ON THE GOVERNMENT OF COLONIES.

The following letter to Mr. Gladstone was written at Plymouth the night before Mr. Godley sailed for New Zealand, and was originally published in the form of a pamphlet in London immediately after his departure.

My Dear Mr. Gladstone,—On the eve of leaving England for one of our most distant colonies, I cannot resist the desire of saying a few words before I go to the British public, on the subject of Colonial politics, under the new aspect which they have lately assumed; a subject in which I have long been speculatively interested, and in which I am now about to acquire a deep and immediate personal concern. And I have ventured, with your kind permission, to prefix your name to my observations; not from any presumed accordance between your views and my own, but simply because, as you seem to me to be the one among our leading statesmen who has most fully considered the question of colonial reform, so you are the one most likely to appreciate and encourage the humblest effort to advance that cause.

Judging, indeed, from the speeches which you have made during the last two sessions, and from the line of conduct which you think it right to adopt with reference to this question, I infer that you do not agree with me; that is, that you are far from estimating so highly as I do the danger which threatens our Colonial Empire, and the necessity of meeting it promptly by measures of thorough reform. If you did, I feel sure (from my faith in your patriotism and public spirit) that, waiving all considerations of a personal and party nature, you would stand forth as the active champion of those searching remedies by which alone the disease which is consuming our greatness can now be cured. I speak confidently,

perhaps presumptuously, but my convictions have at least not been formed without much thought and observation. My occupations have for some time past thrown me into habitual intercourse with colonists personally, and acquaintance with the various organs of Colonial opinion. No one has had better opportunities of appreciating the immense change which has lately come over the Colonial mind, and the utter hopelessness of satisfying it *now* with 'gradual instalments' of freedom. A year or two ago I thought, as perhaps you think now, that, though a system so absurd in theory, and so unsuccessful in practice as that by which our colonies are ruled, must break down sooner or later, still it might last indefinitely, for ten years to come, or perhaps for twenty; and that our efforts might safely be directed to a *gradual* amelioration of it. I am now convinced that I was wrong: the real danger is, not that the despotism of the Colonial Office will last ten or twenty years—not that the colonists will be oppressed by it for an indefinite time to come—but that it may last just long enough to break up the British Empire; a consummation which, at the present rate of progress, will not perhaps take a great deal more than ten or twenty *months*. I should be very glad now to be as sure that the flag of my country will not be hauled down during my lifetime in any part of the Queen's dominions, as I am that the hours of 'Mr. Mothercountry's' reign are numbered. The point, therefore, which I am most anxious to urge upon you, as upon all Colonial reformers, is, that whereas they have hitherto pleaded in the interests, as they thought, of suffering colonies alone, they must now plead in the interests of British honour and British supremacy; that whereas the alternative has hitherto appeared to lie between local self-government and the centralism of Downing Street, now it is between local self-government and national independence. Many causes have contributed to this change in the aspect of the question; but the chief of them are these—first, the increased strength of the Colonies, or rather (perhaps) their increased conscious-

ness of strength; and, secondly, the growth in England of a political school holding the doctrine that the Colonies ought to be abandoned. As I am anxious to avoid even the semblance of writing in a party spirit, I forbear to enlarge on the stimulus imparted to the operation of both these causes by the persevering mismanagement to which the Colonies have been of late subjected; but it would be mere affectation to ignore altogether an influence so undeniable and so important.

On the other hand, I say, the colonists have acquired an increased confidence in their own strength—a confidence derived not only from the knowledge that their material resources are yearly increasing, but also from the moral power which is imparted by the experience of successful conflicts. Not only has the Colonial Office received many damaging defeats of late, but it has so timed its resistance and concessions, as to give precisely the utmost possible encouragement to colonial revolt. Canada, for example, gained by rebellion nearly all for the sake of which she rebelled, and which during years of peaceful agitation she had been refused; and she is now given to understand very plainly by official people, that the rest of her demands will be similarly granted, if she apply in a similar way. New South Wales, too, has more than once within the last two years repulsed the aggressions of the Colonial Minister. But the turning point of the conflict I consider to be the successful resistance of the Cape of Good Hope. It is morally impossible that the authority of Downing Street over the colonies can long survive the shock which it has just received in South Africa. That small and feeble, but high-minded dependency, has taught a lesson which others, more powerful at once and more aggrieved, will not be slow to learn. The machinery which she has employed for her special purpose may be employed by any other colony for any other purpose with respect to which the colonists shall be at issue with the Imperial Government; and, if equal energy and unanimity be

displayed, with equal success. It will be used to obtain immunity from convict emigration in every shape; to acquire local self-government, or even to assert independence. Fortified places we may continue to hold, and naval stations: but I think it is henceforth established that we cannot govern, or even occupy, a distant colony permanently without the consent of its population. It would be useless to deny that these facts, and the knowledge of them prevailing among colonists, are very dangerous under present circumstances to the stability of the empire.

On the other hand, a political school has grown up in this country which is supposed to advocate the abandonment of colonies, on the ground that they do not "pay." I say supposed to advocate, because I do not know that the doctrine has yet been distinctly stated and fairly *avowed*. Still there is no moral doubt of its being in fact held, or of its being in accordance with the general tone and views proclaimed by a powerful and increasing class of English politicians. With those who entertain this anti-imperial doctrine, I need hardly tell you that I feel no sympathy; but I cannot help perceiving how formidable it is, because it falls in with the positive and material character of the age, and especially with the habits of thought prevailing among the now very powerful middle classes of this country. Moreover, I see manifold grounds for believing that statesmen of far higher position and greater mark (some from spite, and more from indolence) regard the possibility of a separation between England and her colonies without any kind of dissatisfaction. "Mr. Mothercountry" is of opinion, no doubt, that if our Colonial Empire is not to be kept as a toy for *him* to play with, it is not worth keeping at all. On the whole, then, it appears to me that we are on the eve of what may truly be called a revolution in our Colonial relations; and that during the next year or two, in all probability, it will be decided whether "the British Empire" is to endure and to grow, as it has hitherto grown, for an indefinite time to come, or whether it

is to shrink by a rapid progress of disintegration into the dimensions of two small islands. Now, although to me, an intending colonist, this consideration is one of deep and momentous import, it will appear, I fear, to a large portion of my countrymen a matter of comparative indifference. There are powerful and popular reasoners who will soon inquire openly, as they now do by implication, "What shall we lose by separation? If, as you say, colonies are no longer to be used as fields of official patronage—no longer to be debarred, for our profit, from the commerce of the world—no longer to be made receptacles for the surplus populations of our goals—if, in short, their proper functions are to be henceforth undischarged, what, we beg leave to ask, is the good of colonies?" This will soon become the question of the day; and it is one for which it behoves us to prepare betimes an answer.

The best argument, perhaps, against separation, is to be found in the strength and prevalence of a moral instinct which separatists do not recognise, and which they hardly understand, though they bear a strong testimony to its truth in the remarkable reluctance which they manifest to *avow* their doctrines. A true patriot personifies and idealizes his country, and rejoices in her greatness, her glory, and her pre-eminence, as a loving son would exult in the triumphs of a parent. Doubtless such greatness and glory may be too dearly bought; but that is not the question. I say that, independently of reasoning, they are *felt* to possess a great and real, though an immaterial value, and that they are the more keenly so felt in the most heroic period of a nation's history, and by the best and noblest of its sons. Nay, I maintain, that the love of empire, properly understood — that is, the instinct of self-development and expansion — is an unfailing symptom of lusty and vigorous life in a people; and that, subject to the conditions of justice and humanity, it is not only legitimate, but most laudable. Certain I am, that the decline of such a feeling is always the result, not of matured wisdom or enlarged philanthropy, but of luxurious imbecility and selfish

sloth. When the Roman eagles retreated across the Danube, not the loss of Dacia, but the satisfaction of the Roman people at the loss, was the omen of the empire's fall. Or, to take an illustration nearer home, it is unquestionable that, notwithstanding the disgraceful circumstances under which America was torn from the grasp of England, we suffered less in prestige and in strength by that obstinate and disastrous struggle, than if, like the soft Triumvir, we had "lost a world, and been content to lose it." Depend upon it, the instinct of national pride is sound and true; and it is no foolish vanity which makes Englishmen shrink from the idea of seeing their country diminished and humbled in the eyes of the world.

But the case of those who defend the preservation of our Colonies does not rest on any such instinct alone; it rests also on perfectly tangible and material grounds. I will admit, for the sake of argument, that our trade with the colonies *might* not suffer by separation, though I have little doubt in fact that it *would*. A certain kind of emigration, too, such as that which now proceeds to the United States, would of course go on. But there would be no good colonization: no English gentlemen—indeed few Englishmen of any class who were not bad specimens of it—would deliberately renounce their allegiance, and place themselves in a position where they might be called upon, by their duty to their adopted country, to fight against the country which gave them birth. They would not consent to stand towards their friends and kindred in the relation of "foreigners;" they would never give up the name, the rights, and the privileges of Englishmen. This may be a very foolish and unphilosophical feeling; but experience as well as theory shows that it is entertained: and, consequently, by making "foreign countries" of our colonies, we should cut off on the one hand the best part of the British nation from colonization, and on the other we should abandon the plain duty of building up society *in its best form* throughout those wide regions which are destined to be peopled by

our descendants. We should deliberately provide for the construction of hostile democracies out of the worst of the materials which compose the British people.

Again, the union of the provinces which make up the British empire constitutes a positive element of material strength. It is perhaps true, that now the value of our Colonies may be counterbalanced by their cost; but such has been the case only since the invention of the Colonial Office; that is, since we have made Colonies effeminate by our protection, and disaffected by our tyranny. The early British Colonies contributed largely, both in men and money, to the military expenses of the Imperial Treasury; they fitted out privateers to destroy the commerce of the common enemy; nor did they confine themselves to the defence of their own territory against aggression, but single handed they conquered and kept new realms for England. Why should we doubt that modern British Colonies, if allowed similar liberty, would show equal loyalty? Their Imperial patriotism is a thing of which we at home have but a faint idea. Until they are spoiled by bad Government, they delight in their connexion with England; they worship the British flag, their eyes fill with tears at the thought of "home," and their highest boast is the share they claim in the triumphs of English literature, arts, and arms.

But, notwithstanding their good natural dispositions towards us, there is one thing which colonists will not endure at our hands—and that is, being governed from Downing Street. They would not be Englishmen if they did. By a steady and persevering course of distant Government, we *do* succeed in destroying, to a very great extent, the love of mother country, and implanting in its place a feeling which is peculiar to colonies governed from home—a feeling made up of jealous dislike and cowardly dependence. But this is factitiously engendered, and would disappear with the causes that produced it. The normal sentiment of colonists towards England greatly resembles that felt by ourselves towards our

sovereigns. We should not like them to *govern* us; but so long as they abstain from that, our affection for them is not only enthusiastic, but deep and real. We rejoice in their joys, and sympathize with their sorrows, as matters in which we have a personal interest; nay, I fully believe that there are are not many individuals in this island who would hesitate to sacrifice property and life in order to save the Queen from indignity or danger. Of a like nature is the feeling which colonists cherish for an ideal England; and I would ask those who hold that its existence and maintenance are of no importance, whether loyalty such as I have described (and such as is perfectly consistent with a determination to be self-governed) does not exercise a powerful and ennobling influence on the national character and national history of England?

It may seem that I have unnecessarily insisted on the desirableness of the Colonial connexion, and that I should have better employed my time in explaining and defending the practical means which I would propose for preserving it. I do not think so, however; and I am sure time will show that I am right. I am not going to waste arguments in support of the municipal system as applied to Colonial Government, because, in fact, everything has been said that can be said on that side of the question, whilst, literally, nothing worth notice has been said on the other. Besides, we really have passed the argumentative stage in this part of the business. That the central system, whether right or wrong, will be speedily abolished, no man with a grain of political foresight can doubt. I repeat, that the only question which remains to be settled is, whether its abolition shall be the result of a dissolution of our colonial empire or not. I have therefore confined myself to urging a proposition which will be much more seriously debated—namely, that such a dissolution is neither unavoidable nor desirable, but pre-eminently the reverse.

But it is necessary for me to state what I mean by local

self-government, as the phrase, though hackneyed, has been much abused. I do *not* mean, then, mere powers of paving and lighting, and road making; nor the privilege of initiatory legislation; nor the liberty of making subordinate official appointments; I do not mean a regimen involving the reservation of civil lists, or the interposition of vetoes, or any other of those provisions in virtue of which Ministers in Downing Street are in the habit of interfering with the internal concerns of colonies. I mean by local self-government the right and power to do, within the limits of each colony respectively, without check, control, or intervention of any kind, everything that the supreme Government of this country can do within the limits of the British Islands—*with one exception.* I allude to the prerogative of regulating relations with foreign powers. This one prerogative, the concentration of which is essential to Imperial unity, the colonists themselves would gladly see reserved, in exchange for the privilege and the security of being identified with the empire: but more than this it is neither beneficial nor possible for us to retain. I need hardly say that my idea of self-government includes the power of making and altering local constitutions. We ought not, I am sure, to impose upon the colonists any form of government whatever, even to start with. When we shall have duly authorized them to act for themselves, our function with regard to their internal affairs should end. Paper constitutions, drawn up by amateurs without personal interest in the subject, never answer. All the best of the old colonial constitutions were framed by the colonists; and while many of them have endured, with hardly an alteration, for more than two hundred years, all of them, whether altered from the originals or not, give (being home-made) perfect satisfaction to those who live under them. I have yet to hear of a Colonial Office constitution which has lasted ten years, or given a moment's satisfaction to any one but the doctrinaires who drew it. I define, then, the proper conditions (as they appear to me) of a Colonial relation to the Mother-

country in three terms—1, an acknowledged allegiance; 2, a common citizenship; 3, an offensive and defensive alliance. Less than these it is idle to offer, because to these, after whatever struggles, we shall come at last; only that if granted after struggles, and not freely, they will perhaps lose all their efficacy.

As a matter of course, colonies enjoying, as those of New England did, the perfect administration of their own affairs, ought not to cost the Mother-country a shilling for their government; and I am confident that, like Massachusetts and Pennsylvania of old, they would regard total pecuniary independence of the Mother-country as an important means of preserving their municipal privileges.

There is, I suppose, little doubt that even the Colonial Office will think it necessary to "do something" in the way of colonial reform next year; nay, that what they do will be in advance on the absurd measures proposed last session; but I cannot bring myself to believe that they will do anything "thorough," and I most earnestly hope that the friends of the Colonies will not be satisfied with anything less. We must hear no more of "gradual ameliorations;" things have gone much too far for experiments and instalments; and the session after next it may be too late for *reform*. I conclude by repeating, that if to you at home the issue of this impending struggle be a matter of comparative indifference, I can answer for it that to British colonists it will appear one of absolutely vital moment. For my own part, I can only say, that though I might consent, in spite of reason and experience, to live in a colony permanently governed by a Minister in London, I would neither do so myself, nor ask others to do so, if the colony we founded were destined during our lifetime to be separated from the Mother-country. It is in the hope of seeing the only means adopted by which you can avert such a consummation that I now leave England.

Believe me, my dear Mr. Gladstone, yours very faithfully,

JOHN ROBERT GODLEY.

Plymouth, Dec. 12, 1849.

WELLINGTON, 1850.

The two following letters were written by Mr. Godley on his first arrival in New Zealand:—

Wellington, New Zealand, April 23rd, 1850.

Sir—I have the honour to report to you my arrival at this place, after a favourable passage. The Lady Nugent came to an anchor yesterday morning, and the bags for the Woodstock, by which I intend to send this letter, are advertised to close on Thursday. The Cornelia will sail direct for London in about a fortnight, and I will write again by her, as well as send a duplicate of this letter. Information which I received at Otago as to the actual state of affairs at Lyttelton, determined me to require that the Lady Nugent should call at Port Cooper, and after having ascertained by personal observation how matters stood there, to proceed to this place and communicate with Mr. Fox. We anchored in Port Cooper on the 14th instant, and I immediately landed. The appearance of the harbour surpassed my expectations, as well as those of all on board. It is perhaps hardly necessary to add to the testimonies on this subject which have been already sent home; but as I understand that some difference of opinion has been expressed upon it, I will observe that in the opinion of our captain, an excellent practical seaman, the harbour is perfectly safe in all weathers.

On landing, I was astonished to find how much had been effected by Mr. Thomas towards making preparation for settlers. He has built an excellent jetty, extending to twelve feet water, four emigration houses, with a cook-house, capable of holding from 250 to 300 persons, two boat-sheds, an office for the chief surveyor, and a house for the chief agent. All these buildings were either completed, or on the point of being so. Adjoining and around them the site of the port town is laid off; over part of it are scattered a considerable number (about twenty) of houses, built by individuals who

have received from Mr. Thomas (in the form enclosed) permission to "squat." Two of these are inns, or public-houses, and altogether they would afford, in the event of a large body of settlers arriving, very useful temporary accommodation. From the jetty the main road, which is to connect the port with the plains, leads up the hill. Its length, as partly finished, is four and a half miles; this brings it to the level plain, from whence the whole district is accessible. The entire distance to the intended chief town will be ten and a half miles. The road crosses the hill at the lowest point, where it has an elevation of rather more than 600 feet; and Mr. Thomas informs me that at the steepest part the rise is at the rate of one foot in twenty. That part of the road which runs along the side of the hill, facing the harbour, is very difficult and expensive of construction, as it is necessary to remove a large quantity of solid rock by blasting. The other side of the hill presents no engineering difficulties. After inspecting the works at the port and in the immediate neighbourhood, I rode with Mr. Thomas over the hill to Mr. Dean's farm on the plain. The track which we were obliged to follow is exceedingly steep—so much so as to be only just practicable for horses, and no heavy baggage could be transported by it. I cannot better describe my impression of the country beyond the hill than by saying that it precisely corresponded to the idea which I had formed of it from the map which was sent home last year. It may be said that to the eye there are but two features—a range of mountains, apparently thirty or forty miles distant, and a vast grassy plain (the colour of which, as seen from a distance, is not *green*, but rather that of hay), stretching from the sea towards them as far as the eye can reach, without any inequality, and almost without any variety of surface; for streams though numerous, are not large, and they are sunk between very steep banks, and the patches of wood are unfortunately both rare and small. The grass on the plain is intermixed with fern and flax. To an eye unaccustomed to

new countries it does not appear luxuriant; but I am informed, on the most undoubted authority, that the district in question is equal, if not superior, in this respect to any part of New Zealand, and that the improvement of the grass, after being grazed over for some time, will be almost incalculable. In Mr. Dean's garden I saw excellent crops of fruit and vegetables, and he gives a very good account of his own crops. I had not time to visit the intended site of the chief town; but I understand that Mr. Thomas has sent home a map and description of it. It will possess the important advantage of excellent boat navigation. I understand that boats of five or six tons burden come up the river as far as Mr. Dean's, which lies at a considerable distance higher up, and that there are from four to five feet of water at the site of the town. As you are aware that my stay in the harbour was limited to twenty-four hours, I had not time for more than a cursory inspection of Mr. Thomas's works, and a rapid investigation of his accounts. With the former, so far as I could judge of them, I was exceedingly pleased; and I am happy to express the strongest approbation of that gentleman's zeal, energy, and anxious desire to promote the objects of his mission. He has had great difficulties to contend with, and much personal odium to incur in the discharge of his duty; and I have only one opinion from those in this country who are qualified to judge: the opinion, namely, that the interests of the Association could not possibly have been confided to more efficient hands. I am anxious to assure you of this, because in expressing, as I am compelled to do, my regret that in one point he has committed what I consider a serious error of judgment, I wish it to be distinctly understood that I believe his conduct in this, as in all other respects, whether well judged or not, to have been actuated solely by sincere anxiety to promote the views of his employers. I allude to the fact that he has overdrawn to a considerable amount the credit with which he was furnished, and he has also incurred liabilities to a still further extent. In

order to meet these, he has applied to Mr. Fox for an extension of his credit, and that gentleman has granted his application. I consider it extremely unfortunate that Mr. Thomas should have been compelled to make this application, because I feel that the Association had no claim whatever upon the Company for a larger sum than that originally agreed upon; a sum which, in case of the Association discontinuing its operations, it will have, of course, no means of making good. But except on this (as I may call it) *moral* ground, there can be no doubt that it was for the interest of the *Association* and its intending settlers that the works should be carried on, after the exhaustion of the original credit; and I should be very glad indeed now to have the means of prosecuting them without relaxation until decisive intelligence shall arrive. Such, however, is not the case; and the only course open to me, on learning the condition of Mr. Thomas's financial affairs, was to direct the suspension of all further outlay on his part, even at the hazard of loss and damage to the works. I enclose a copy of the letter (Enclosure No. 2), which I wrote immediately on my arrival here, and sent by a cutter which sailed this morning for Lyttelton. With the reasons which have induced Mr. Fox, as the Company's representative, to make advances to Mr. Thomas, beyond the £20,000, I have, officially, nothing to do; but I cannot forbear from stating my personal conviction, that by so doing he has acted wisely under very difficult circumstances, and consulted the interests, not of the Association only, but of the Company. When the application was made to him, it would have been impossible for Mr. Thomas to have closed his accounts, and kept within the limits of his authorized expenditure; and it is needless to point out the extreme inconvenience and evil of all kinds which would have resulted from leaving him in a position of virtual bankruptcy.

For the present, accordingly, all our operations are at a stand-still, and must remain so until fresh remittances shall arrive from England. This is very mortifying, as not only is

there necessarily a considerable amount of loss accruing on such a suspension of extensive works, and a risk of considerable damage to the works themselves, but Mr. Thomas and myself are in the disagreeable position of remaining idle for want of means to do any work. I shall remain here, and endeavour to employ my time as usefully as I can in acquiring general information; and he will remain at Lyttelton, after winding up his operations, until he shall receive from me instructions to resume them. The work actually done consists of the buildings which I have enumerated, of a road partially made, but which (including a bridge and sea wall, which are necessary to complete the connexion between the port and chief town) will require at least £7000 to finish; of the trigonometrical survey of about 600,000 acres, the topography of about half of which will be completed (as Mr. Thomas informs me) within the period at which he will be compelled to stop; and, finally, of the materials for emigration houses at the chief town, which will hardly, I fear, be erected within that period. I consider, however, that with the exception of the *road*, nothing will then be left unfinished which is absolutely necessary for the reception of settlers. They will find temporary accommodation sufficient, I think, for 700 or 800 at a time; and a very short notice would enable us to provide more; and they will find also 300,000 acres of the best land in the district fully surveyed. To complete the entire survey of the plain will be neither tedious nor expensive. Mr. Thomas calculates the cost at only five farthings per acre; and I am informed, both by him and Mr. Fox, that Captain Stokes and Mr. Evans (of the Acheron) speak in the very highest terms of his maps, which they carefully examined. I enclose an estimate prepared by Mr. Thomas (Enclosure No. 3) of the liabilities which he calculated upon incurring before the 1st July: if the credit given to him by Mr. Fox will not carry him up to that period, he will, of course, have to wind up sooner. I enclose also a conjectural estimate of the sum required for completing the road (Enclosure No. 4),

and I must urge on the Association the necessity of enabling me to complete it before settlers come out; as, except by footpaths, and by boats round the head of the harbour (a route impracticable in bad weather), there will be no available communication between the port and the plain till that shall be done. The Association will also remember that a considerable expense will be incurred in putting settlers into possession of their land. I presume the expense of emigration houses will be charged upon the Emigration Fund. Mr. Thomas is now engaged in preparing an account of his expenditure set forth under different heads, as surveying, road, &c.

In conclusion, I will only repeat, that if the road be made before the settlers come out, I trust that they will have nothing deserving the name of difficulty to contend with (except the expensiveness of wood); and I feel convinced that their success will depend (humanly speaking) entirely upon themselves. With respect to the supply of wood, I will add, that at present both sawn timber and fuel are cheaper at Lyttelton than Dunedin, and the latter not more expensive here than at Wellington, while there is no reason why it should not be supplied at Christchurch at a rate hardly greater than at Lyttelton, the chief source of supply to both places being the hills of Banks's Peninsula, from whence there is communication with them by boats. Settlers establishing themselves at a distance from the rivers will find it expensive, but at first, probably, such instances will not be numerous; and the Mandeville district, which is one of the best for agricultural purposes, is well supplied with wood. It is to be remembered, too, that land carriage, though always expensive, will be less so on these plains than in any other part of the islands, from the immense extent to which they are accessible without roads.

I trust the Association will, before receiving this letter, have given specific instructions to me relative to the sale of land here. I have had numerous applications already

from persons wishing to buy, especially land in the town of Lyttelton.

I have the honor to be, sir,
Your most obedient servant,
JOHN ROBERT GODLEY,
Agent to the Canterbury Association.

To the Secretary of the
Canterbury Association, &c., &c.

EXTRACT FROM MR. GODLEY'S PRIVATE JOURNAL.
Sent to C. B. ADDERLEY, Esq., M.P.

Wellington, April 22nd, 1850.

On Thursday evening (the 11th), after a tedious day's work, beating up the northern shore of Banks's Peninsula, we came to an anchor about seven o'clock just outside the heads of Port Cooper. If we had had two hours' more daylight, we should have gone in; but our captain was very cautious, and though we had been positively assured that nothing could possibly happen, even if we ran in blindfold, he preferred waiting till morning. At six we weighed anchor, the wind being fair, though light, and passed quietly up the bay. None of us, I believe, were prepared for the beauty of the scenery. It took us more by surprise than even at Otago, for the sketches which we had seen in England were very far from inviting. The character is very different from that of the lovely lake on the banks of which Port Chalmers lies, but I am not sure that I do not prefer it. The hills are very bold, both in face and in outline; bare for the most part—that is, with only small patches of wood at the bottom of the glens—but with much of that sublimity which is produced by extent of view and rugged wildness.

The harbour is very fine, both in a picturesque and utilitarian point of view. The captain and all the nautical men on board were delighted with it. It consists in a regularly

shaped inlet, about seven miles long from the entrance to the end, and varying from a mile to a mile and a half in width. It is open to one wind (E.N.E.), but everybody agrees that it never blows hard from that quarter, and also that the swell is lost before it reaches the harbour. There is a good anchorage outside in seven fathoms, and from thence it gradually shoals to three fathoms, about five miles up. There are two small bays, in which, if it should be found necessary, shelter for ships may be found from the only wind to which the rest of the harbour is exposed. No pilot is required, as there is literally nothing to avoid, except the hills on each side; and there is width enough to beat in or out in fine weather. Half-way up the harbour we passed a whale boat, which informed us that we might go up and anchor opposite "the town." At that time we had seen no sign of civilization, except the line of a road in process of formation, along the face and over the top of the hill on the northern shore, and no human habitation, except some Maori huts, close to the beach; but we held on, and presently another whale boat, with Captain Thomas, the Chief Surveyor of the Association, on board, shot from behind a bluff on the northern shore, and boarded us. Immediately afterwards we let go our anchor, though "the town" was not yet visible, and my wife and I went off with Thomas. On rounding the bluff aforesaid again, I was perfectly astounded with what I saw. One might have supposed that the country had been colonized for years, so settled and busy was the look of its port. In the first place, there is what the Yankees would call a "splendid" jetty; from thence a wide, beaten-looking road leads up the hill, and turns off through a deep cutting to the eastward. On each side of the road there are houses scattered to the number of about twenty-five, including two "hotels" and a Custom-house! (in the shape of a small weather-boarded hut certainly, but still a custom-house). In a square, railed off close to the jetty, are four excellent houses, intended for emigrants' barracks, with a cook-house in the centre. Next

to this square comes a small house, which Thomas now inhabits himself, and which he destined for an agent's office. Behind this, divided from it by a plot of ground intended for a garden, stands a stately edifice, which was introduced in due form to us as "our house." It is weather-boarded, has six very good-sized rooms, and a verandah; in short, after seeing it, we could not help laughing at our own anticipations of a shed on the bare beach, with a fire at the door. Thomas had received about a week before our arrival a letter announcing it, which I had sent by the Monarch, so he had everything ready, expecting us to stay. I had, however, for many reasons, quite made up my mind to go to Wellington, and not to settle finally at Port Cooper till after learning something tolerably decisive about Canterbury from England. Indeed, I ascertained, in the course of the first five minutes' conversation which I had with Thomas, that he had already overdrawn his credits to a considerable extent, and consequently that the works must be suspended as soon as possible. I should, therefore, have literally nothing to superintend or do at Port Cooper, and can employ myself more usefully here in communication with Mr. Fox, the principal agent of the Company, and the other leading men among the colonists, from whom I want to learn as much as possible pertaining to colonial politics, society, and other local subjects. My chief objects in communicating with Thomas were to see what has been done, to ascertain what has been expended, and to give directions for the conduct of future proceedings. The two last were soon accomplished: for the funds being exhausted, there is no difficulty in determining that, until we get more, we must stop. Indeed, a stop would have been come to some time ago, had not Mr. Fox offered, on behalf of the Company (to whom, in case of our failure, the land reverts), to advance a sum in addition to what was originally contemplated, of about £3,500, which Thomas calculates will keep them going, on a reduced scale, until the next advices.

With this arrangement I determined not to interfere, as

everything had been settled in conformity with it. I therefore contented myself with directing that no new contracts should be entered into, and that preparations should be made for discontinuing operations at the close of the arrangement now made with Mr. Fox for an extension of credit. In order to get a general idea of the country, I asked Thomas to have a couple of horses taken from the carts and saddled for us; upon these we started to cross the hills into the plain. The track lies up the side of what may fairly be termed a mountain. In fact, it can hardly be called a track at all, and it requires some habit and nerve to keep the saddle. Near the top we both dismounted, and scrambled up the rocks on foot, leading our horses. It is about two miles and a half, in a straight line from the port (Lyttelton), to the nearest point of the plain; and it took us two hours to ride to Deans's farm, which is nine miles off. From the top of the hill there is a perfect view of the whole district intended for our settlement; and I was struck by the accuracy with which its reality corresponded with the idea conveyed by the map. In fact, you have it before you, in the office at Charing Cross, almost as vividly as on the spot.

There is an amphitheatre of mountains, not snow-covered, but snow-sprinkled, and a vast grassy plain, without the smallest apparent inequality on its surface, stretching between them and the sea; absolutely no other feature whatever, except a large lake close to the sea, on the south-west corner of Banks's Peninsula (or rather promontory), and several streams which, from flowing in very deep channels, make a small show at a distance. The promontory itself must contain exceedingly beautiful scenery, as its whole surface consists of hills covered with forest, broken and diversified in outline, and indented by bays, reminding me of the "fields and fiords" of Norway. The hills immediately around Port Cooper alone appear comparatively bare; their character resembles very much that of the mountains which form the "Ogwen Pass" near Bangor, or, perhaps, still more that of

the "Bosom of Fann" on Lough Swilly; for while the Welsh mountain is higher and grander than ours, it would, on the other hand, be very unjust to compare our beautiful dark blue bay to such a paltry lake as Ogwen. The first view of these plains, as of all others that I have seen in New Zealand, is rather disappointing to an English eye: that is, one misses the greenness and luxuriousness which the growth of grass in a country long cultivated and grased over exhibits.

The flax plant, too, which grows largely over them, exactly resembles at a distance that kind of bulrush which we call flags; so that, although *in fact* the presence of it denotes, as I am told, unerringly, that the soil is sound and sufficiently dry for cultivation, the appearance given by it is that of barren swamps. When we got down into the plain we soon perceived the difference between the real bulrush, which does actually grow in some spots, and the flax. We overtook several of our fellow-passengers, who had started before us, walking, and found them, unaccustomed to new countries as they were, open-mouthed about the want of luxuriant grass. We saw the country to great disadvantage, for there have been six months of almost unprecedented dry weather; but after making allowance for this, I am sure that until it shall have been either broken up or grazed over, no part of it will produce grass to be compared with a soil of equal quality in old countries. There is no difference of opinion, however, so far as I can learn, amongst those who know the country, as to the land in the Canterbury plains being of fully average quality, capable of fattening sheep and cattle, as well as of giving good crops of all kinds. When we arrived at Mr. Deans's farm we had proof of this; for his garden, which never saw or heard of manure, is producing luxuriantly every kind of vegetables and fruit. I never saw a finer show of them—apples, pears, peaches—everything, in short, flourishes. I wish I could send home a specimen of the apples; they look like wax-work.

Mr. Deans has been for several years a settler on these

plains. Dissatisfied with Wellington, he came down here on an exploring expedition, and had judgment enough to foresee and to say that, sooner or later, the plains would be the site of a large settlement. He has been long waiting for it, and was almost tired of his solitary abundance. I am told that two years he had nearly made up his mind to go away. However, he is now rewarded, and I am glad of it; his title has been recognised to 400 acres of land, with 25 acres of wood, close to the site of our intended capital; so it is his own fault if he does not make his fortune. He has 1500 sheep, 303 cattle, and 30 or 40 horses. He grows corn enough for his own consumption, and says he gets from thirty-five to forty bushels of wheat per acre. He has been made a J.P., and administers justice on the bench at Port Cooper, with the Collector of Customs, and the Stipendiary Magistrate from Akaroa. The "bush" beside which Deans's house is placed is exceedingly valuable; it contains fifty-five acres, and it, with one other piece about twice as large, is the only source of supply for wood in the immediate neighbourhood of the "capital." It is strange that there should be so very little, and can only be accounted for on the supposition that the bush has been destroyed gradually by accidental fires; such as even now threaten and occasionally diminish what is left. I understand that, as we approach the mountains, we find more and larger patches of wood, and along their base stretches a dense, unbroken forest; but on the Port Cooper side of the plains, the main supply must, until the plantations shall have grown up, be derived from Pigeon Bay and the other harbours of Banks's Peninsula. The site of our chief town is laid out on the banks of a river navigable for the largest barges; that is, with more than four feet water, and there is already a constant communication by water between Port Cooper and Pigeon Bay on the one hand, and the surveyors occupied in laying out the site and surveying the neighbourhood of it on the other. By this channel, sawn timber can be laid down at the town for 12s. 6d. per

one hundred feet, and fuel for 15s. a cord (I quote the present prices; it is impossible to calculate how far the proportion of demand to supply may be effected by a large colonization), the same as at Port Cooper, *and 30 per cent. cheaper than at Dunedin*, which is in the middle of woods: a most important fact in illustration of the cheapness of water carriage, and of the facilities which it will afford to us of remedying our deficiency in timber on that part of the plain which is within the reach of water.

The chief work now in progress at Port Cooper is a road over the hills from Lyttelton (the port) to Christchurch (the intended chief town), a distance of 10½ miles. Until this shall be completed, the only mode of conveying goods from the harbour to the plain will be by boats round the heads of the port and up the river before-mentioned, and this will of course only be available in fine weather. The completion of the road is therefore an object of primary importance, as the track over the hills is hardly practicable, even for a horseman.

On our return to the port we found our passengers and crew scattered about, loud in their praises of the progress which had been made in so short a time, as well as of the prospects held out by the settlement. They forget that Thomas has had the spending of a larger sum of money on a given spot than any other pioneer of settlement in this country has had, so that the superiority of his operations is not to be laid altogether to the account of his merits. However, certainly no body of settlers ever found so much done to smooth their path for them as ours will find. Most agricultural produce, except flour, is already cheaper than at Otago. Meat is plentiful at 5½d. per lb.; fresh butter, 1s. per lb.; "native" cheese, 1s. per lb.; eggs and milk, apparently varying in price, but generally reasonable enough; potatoes, 4s. 6d. per cwt. The chief supplier of the market is a man named Rhodes, who lives on the opposite side of the harbour from Lyttelton, and who is the only person, besides

Deans and those who have bought from the French at Akaroa, whose title to land has been recognized. He has, I understand, 400 acres, and his stock consists of 2500 sheep, and about 300 head of cattle. We dined with Thomas; and there was also a great dinner at the grog-shop, dignified by the name of the "Mitre Hotel," and kept by Major Hornbrook, a field-officer of engineers in the Spanish Legion, who has come down from Wellington on a speculation, and who says he will give £100 a-year to the individual who gets the section on which he has located himself. This gallant officer's cookery and accommodations are very well reported of.

On Saturday evening, Thomas having come off with the papers which I had asked him to prepare, and two of our young gentlemen who had spent the night at his house, I reported myself to the captain as ready to sail; but the wind being foul, he gave us permission to land again, and I went off in Thomas's whale boat to see part of the road works. We pulled a couple of miles down the harbor, and landed at the Maori village, which we had seen as we sailed up. The women were squalling as usual about the doors, some wrapped up in blankets of different colours, others with nothing but coloured shifts upon them, their faces horribly tattooed, and their black thick hair shining with oil. Their huts are made of grass, and each of them has a hole in the ground before it, where they cook and bake. Thomas has brought 120 Maori laborers from the Northern Island, and considers his having induced them to come, and kept them in good humour while with him, as no small feat. Every one told him it was impossible, one great difficulty being that the tribes from which he took these men had, ten or twelve years ago, made an incursion into the Port Cooper country, when they killed *and ate* the greater portion of the aboriginal inhabitants, so that a feud of blood prevails between the survivors and the conquerors. It does not seem to have been prosecuted, however, and all agree—the Maoris themselves, their white superintendent, and Thomas—that the experiment has been perfectly

successful. He has been paying them 2s. 6d. a-day, when well, *and* 1s. *when sick*—this last a bad arrangement, as he admits. By having these natives at his back, he gets a great pull upon the white labourers, who would otherwise have him at their mercy. He thinks, however, that the whites are, as yet, cheaper at 4s. 6d. a day than the Maoris at 2s. 6d. We climbed the hill to where the road passes over it, and looked down the other side upon the plain. It is two miles from Lyttelton to the top of the ridge, and two miles down from thence to the plain. The road is a tremendous piece of work on the harbor side—great part of it being carried through solid rock, which can only be removed by blasting. It reminds one of the steepest parts of the Holyhead road; only that the precipice here is far higher, and at the bottom there is sea instead of river. The line, to my unprofessional eye, seems very well engineered, being nowhere steeper than one in twenty—that is, what mail coachmen used to call good trotting ground; but the expense is very great, and the time which it will require must also, I fear, be considerable, the nature of the ground not allowing an unlimited application of force.

We were amused with seeing the Maoris at work. They struck, shovelled, &c., altogether, keeping time to a song, like sailors at a windlass. We spoke to several, and they seemed most civil, good-natured fellows, laughing immoderately at our questions, and chattering broken English very fast in reply. They all expressed themselves delighted with the treatment they had received, and said they were taking home "plenty money" with them. They are Christians, and, I am told, pray together regularly morning and evening, before and after leaving off work. To our eyes they appeared nearly equal to average Europeans in stature and muscular development; but they have not, in fact, the same strength and endurance, and, above all, they seem deficient in the power of steady continuous work. They do everything by fits and starts, and they must be coaxed, like children, by talking to

them, or singing to them, or in some artificial way stimulating their vanity and emulation.

It will cost more than £7000 to finish the road, without which the plain can hardly be called available for settlement; and, with the labour at our disposal, a considerable *time* will be required, too, for its completion. However, Thomas has so evidently done his best, has spared himself so little, and has evinced so much zeal, that I thought it would be cruel, as well as useless, to find fault with him, except in the mildest form, for his errors in judgment.

The only point on which I feel not so charitably disposed towards him is the excess of expenditure over credit, inasmuch as nothing could be more explicit or imperative than his instructions on this point, and with ordinary foresight he might easily have adhered to them. There is, however, something very satisfactory, and useful too, in creating, at the earliest possible moment, that appearance of civilization and finish which young settlements are so long deficient in under our present system; and I feel sure that the advanced and prepared look of Lyttelton will materially influence the character of the colony, by encouraging and welcoming the first settlers, and producing upon their minds pleasant *first* impressions. Much of the deterioration in manner, costume, and even in more weighty matters, which we all see and deplore in colonists, may doubtless be traced to the coarse, rough, scrambling life which they are compelled to live during the early days of settlement, and which becomes habitual and traditionary among them. A little care and expense in preparing for them decent habitations, passable roads, and such like elements of civilization, would enable them to keep up old-country habits from the first, and perhaps modify the whole character and fortune of the growing people. These are things which ought to be done by the Government of a colonizing nation. It is in default of such performance of duty by our Government that mercantile companies and amateur associations are compelled to

attempt a task for which they are by no means equally fitted; for a mercantile company must necessarily, in the main, be actuated by mercenary motives (I do not use the word in a bad sense); and amateur associations are generally deficient both in earnestness and in means.

We have no choice, however, and must work with such means as we have; and I think all those who see the Canterbury settlement will admit that, as I have said before, no first body of colonists from Britain have ever found so much done to prepare for and welcome them as ours will find. In fact, difficulties in the usual sense of the word, as applied to colonization, there will be none: no roads to make, no forests to clear, no want of food or lodging, or of facilities for choosing or settling upon land. Many things will, no doubt, be expensive at first; for example, wood, some articles of provisions, and labour; but every man's enterprise may be made the subject of a calculation on paper, as in an old country. Humanly speaking, there is no uncertainty or chance of disappointment to provide against. He may lose his money; but if he does (again, I say, humanly speaking) it will be his own fault, and not the result of obstacles which he could not foresee. I feel certain that a vast deal of discontent and mutual bad feeling takes its origin from the discomforts and embarrassments experienced by men thrown with their wives and children upon a bare shore, at the beginning of winter, without a road, or a clearing, or a sign of civilization to welcome or to cheer them.

While we were absent with Thomas, the captain, with some of the passengers, had gone up to Mr. Rhodes's farm, and came back in the evening, highly delighted both with him and with what they had seen and heard. I am amused at seeing how those who had been the most inveterate sneerers and croakers about our settlement during the voyage, have changed their tone since they have been on the spot; very often, indeed, with almost as little reason as they had for their former prejudices. Even the disappointment of those

who expected far more luxuriant vegetation on the plains, has entirely yielded to the unanimous testimony of men who are practically acquainted with the results of the soil and the climate in combination, as regards the production of crops. Our explorers brought back some magnificent "cobs" of Indian corn, perfectly developed and ripened, and some water melons, also perfectly ripe, both of which the Maoris had grown in their gardens. Rhodes, too, not only spoke highly of the agricultural capabilities of the country, but backed his testimony by exhibiting a very full and flourishing garden. In the course of the afternoon, a brigantine came into the harbor from Wellington, chartered by Thomas to take back the Maoris to their own country, which is the central part of the Northern Island. They had bargained with him to be taken back before the commencement of the cold weather; but they will be delighted to return if required in the spring, and I have no doubt that this experiment will lay the foundation for a regular supply of native labour to the Middle Island.

As yet it has been found impossible to make use of the Maoris for farm work. They require the stimulus of society and superintendence; but from idleness and cannibalism to gang-work and Christianity is a much longer step than from their present step to civilization—so that we may hope to see one instance at least of a reclaimed and amalgamated native race.

Thomas is very proud and happy at the successful result of the new plan of surveying. It is very cheap, not more, he assures me, than five farthings an acre for the whole district, and very accurate and satisfactory. The colonial surveyors, who began by disapproving, have all read their recantation; and Captain Stokes, of the Acheron, a most competent judge, has told him that he has seen nothing south of the line to equal the maps that Thomas has shown him. He has triangulated about 700,000 acres, and promised that by July the maps of at least 300,000 acres of the best agricultural land

will have been completed in detail. After that our progress must be regulated by our financial accounts from home.

The supposed discovery of bituminous coal is not confirmed; but there is undoubtedly some anthracite; and at different places, especially along the Courtenay River, considerable quantities of peat. It is very fortunate that carts can traverse the plain in every direction (except of course where rivers intervene), so that the deficiency of wood, though very important, is more easily remediable than it would be elsewhere. However, the first settlers must fence with banks and ditches, and plant gorse and quicks upon them; and they must also make up their minds to pay a high price for their fuel. This is the one drawback to what would otherwise be an incomparable district for settlement; and its existence should be known and published to prevent deception and disappointment. There are quantities of wild pigs on the plain, and quail and wild ducks innumerable; I wish I had a good pointer and retriever. Probably the Indian sport of boar-hunting with the spear on horseback will be introduced, as the country is specially fitted for it. I cannot bring myself to wish for foxes; but deer and hares we must positively have, as well as partridges and pheasants. There are a pair of partridges at Dunedin, which, after being imported with much difficulty, turned out to be both cocks; so, as I cannot hear of any others in the colony, I fear the unfortunate animals are doomed to spend the rest of their lives in cheerless celibacy. If the Association goes on and flourishes, it could not do better than send out by each ship that it charters, pairs of these animals, until it receives intelligence that a sufficient number to make the propagation of the species certain have safely landed. It is impossible, of course, to draw a general conclusion from our limited observations of the climate, but it is worth remarking that, though we have been just a month in or on the coasts of New Zealand, at the end of autumn, we have had only one wet day, and not above three or four that were showery or otherwise un-

pleasant. In general the sky has been almost cloudless, and the temperature pleasant—quite warm and sunny in the day-time, and cool at night with heavy dews. On Sunday morning (the 14th) we sailed from Port Cooper with a light southerly breeze, which died away when we were about twenty-five miles from the harbor, and before evening it came on to blow from the north-east. Since that time we have been beaten about or lying-to with the wind dead on end for a week, and only anchored in Wellington Harbor this morning between midnight and one o'clock. It is a land-locked lake, about six miles long by four broad, surrounded by low hills, partly covered with grass, and partly with wood. The town is much more considerable than I expected; in fact, what the Yankees would call "quite a smart city." It is scattered over a large expanse of beach and hill; and there is a general air of bustle and stir about the port which is very pleasant to see.* I have just received a visit from Mr. Fox, the New Zealand Company's principal agent, and accepted an invitation to my wife and myself to dine with him, this evening. The Woodstock, now in port, is to sail direct for England in two days: so we shall have an opportunity of sending our letters by her bags.

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* Mr. Godley arrived in Wellington in April 1850. On the 19th August he was elected a member of the Settler's Constitutional Association. In the following letter to Mr. Fox, read at a subsequent meeting, he stated his reasons for declining to act on the Corresponding Committee:—

"My Dear Sir,—Will you have the goodness to state, at the next meeting of the Constitutional Association, that I have been compelled to decline acting on their Corresponding Committee. The truth is, that, while I wish to indentify myself, in the most complete manner, with the Association, as to its general principles and objects, and while I have not the

slightest reason to suppose that with all its future acts I shall not cordially concur—on the other hand, the fact that I am merely a sojourner for a short period at Wellington, as well as the other avocations which must shortly press upon me, forbid the possibility of my taking an *active* part in conducting its proceedings; and, under these circumstances, I must, in justice to myself, disclaim that responsibility, which, if I did take an active part, I should necessarily incur. I have troubled you with this explanation of my motives for publicly resigning the honor of acting on your Committee, from a (perhaps groundless) fear of misconstruction—a fear lest it be supposed that I wish to withdraw from the intimate political connexion which now, I rejoice to say, subsists between the Constitutional Association and myself. I must apologize for not having communicated with the Association to the above effect earlier; I did communicate to a similar effect with the members of the Committee immediately after my election.

W. Fox, Esq.

On the 15th November he attended a public meeting of the Association to consider Sir George Grey's proposed Bill for a Constitution for New Zealand, and delivered the following speech in moving the first resolution:—

Sir, although incapable of addressing you for more than a very few minutes, I cannot resist the temptation of this opportunity to express my sentiments on the important question now offered for your consideration. And in doing so, I am above all things anxious to impress upon you the recollection, that the words and actions of this meeting will inevitably form the subject of careful attention and criticism at home, that, if they be wise and worthy, they will support and strengthen the hands of those who are struggling for your rights in Parliament to an extent which can hardly be over stated, whereas, if you betray either feebleness or

irresolution on the one hand, or want of calmness, temper, and moderation on the other, you may be very certain that your errors will be promptly taken advantage of, and that in answer to your claims and prayers you will have the old sneer at the unfitness for self-government which you show in your efforts to attain it. The business before you to-day is to pronounce your opinion on the Bill which Sir George Grey offers for your acceptance: now, before you do so, and in order that you may do so with justice and effect, I want you to ask yourselves what this great political object is that you have been striving after, for many long and anxious years, and of which this measure professes to be the realization. There are some who will tell you that it is "representative institutions," for it is the fashion to say that all colonial reformers want "representative institutions." If this be so, then I admit that the Bill ought to satisfy you, for it certainly gives you, in a measure, and after a sort, representative institutions. But I deny that representative institutions are what we have striven and prayed for; we have representative institutions enough already, and can make as many more as we like; this meeting is a representative institution, as soon as we have elected a chairman; but the next question is, what we can do with them when we have them. There is no magic in the word "representative;" no people was ever redeemed or regenerated by the mere election of delegates. No, sir, the object which the colonists of New Zealand have given their energies to obtain, and which they will obtain, if they be true to themselves, is something very different from the mere form of a constitution; it is the substance which all such forms are but methods of exercising; in a word, it is *political power;* the power of virtually administering their own affairs, appointing their own officers, disposing of their own revenues, and governing their own country. Compared with this object, all questions which concern the allocation of power among different classes of colonists, fade into utter insignificance, whatever importance they may assume at the proper time and

proper place. Such questions will be settled among *ourselves*, when we shall have got the power of governing ourselves. Do not weaken your collective influence by disputing about them now. The contest in which we are now engaged, and which requires our undivided energies to conduct it successfully, is with the central authority of Downing Street, whether exercised through the medium of Governors, or of Nominees, or of Colonial Office instructions. Let us finish *that* before we begin to quarrel, as of course we shall quarrel like other people, among ourselves, as soon as we have got substantial power to quarrel about. But never forget that the *end* we aim at is the power of self-government; representative institutions are merely the most convenient and desirable means of exercising it. To give us representative institutions without full powers, is worse than a mockery and a delusion: it is a careful and deliberate provision for keeping the machine of government at a perpetual dead-lock; or, if that be avoided through the weakness of the Assembly, for constituting a political debating club of the worst kind, and investing it with the dignity and the claims of a National Legislature. I have insisted thus strongly upon this preliminary point, because it is clear to me that, if it were not for this juggle and word-play about representative institutions, nobody could have seriously proposed that you should accept such a measure as this of Sir George Grey's as the charter of your liberties. It is a measure for constituting Provincial debating-clubs; that is all. The resolution I am about to propose asks you to reject the Bill, because it does not give you the management of your own affairs: this is the ground upon which I trust that you will adopt it Those who come after me will examine, more at length than I have physical power to do, the provisions of the Bill, and will shew you its short-comings in detail. I will content myself with stating that it withholds from you the disposal of the greater part of the revenue, and consequently of all practical control over the Executive; that it compels you to conform your legislation to Colonial Office instructions;

that it contains that ridiculous and inexplicable provision against making any law repugnant to the law of England; that it makes the pernicious element of nomineeism part and parcel of your Constitution; and that, besides all this, it gives a veto upon all local legislation to a Governor not responsible to yourselves. If you think that the privilege of electing representatives to do nothing be sufficient to compensate for such defects as these; if your ambition be to enjoy the name of a constitutional country, while the real power of governing you resides 16,000 miles off, then, I say, throw up your hats, and cheer for the Constitution. But if you think with me, that this Bill will be merely a stumbling-block and an obstacle in your way; if you believe as I do, that by accepting and sanctioning it, you will debar yourselves for an indefinite time from getting any thing better; that you will compromise every principle that you have been asserting, and make it evident to friends and foes that you have been fighting for names, and not for realities—above all, if you feel convinced, as I do, that if you refuse to be put off with the shadow, you will assuredly get the substance, then I ask you to assert those sentiments and views by an emphatic condemnation of the Bill. I do not blame Sir George Grey for offering it; I believe that he is bonâ fide anxious to make every possible concession to you, and indeed that he believes he has already done so; but the fact is, that he has not the power of giving you a good Constitution, if he were ever so well disposed; he is fettered by Acts of Parliament and Instructions, which only fresh Acts and fresh Instructions can revoke. He has no power to give up the veto, no power to give you what is called Responsible Government, that is, the virtual administration of your own affairs. Now, we want no provisional relaxation of arbitaray power, depending on the casual favor of the men who may happen to exercise it; we want the sanction of irrevocable laws for our own rights, and this we can only get from the fountain of law for the British Empire—the Imperial Parliament. Never forget, that the battle of our

Constitution must be fought in London; it is by the influence which we can exercise, or the trouble we can give there alone, that we can hope to obtain our local independence; it is because as yet not one of the Australian colonies has taken a stand which entitles and enables it to be heard in London, that not one of them has got local independence yet. I trust that we shall set a brighter example; I trust that we shall shew New Zealand standing pre-eminent and alone among the colonies of England, proclaiming that her people will have nothing to do with counterfeits or half measures; that they will have things in New Zealand called by their proper names—real despotism or real liberty. For my own part, I would far rather live under the avowed despotism of one able and energetic man, acting on his own responsibility, according to his own pleasure, than under such a regimen as it is the fashion in Downing Street to call constitutional and representative; a regimen in which the people exercise no real power, and the Government incurs no effective responsibility; in which the utmost privilege granted to the colonists is that of obstructing the action of their own Government, and in which the right of perpetual agitation is dignified with the name of freedom.

Mr. Godley then proposed the following Resolution:—

"That the constitutional measure which Sir George Grey is understood to be about to offer to the colonists, and which has been already published by him in the shape of a draft Ordinance, does not deserve their approval or acceptance, inasmuch as it does not confer upon them an effectual control over the management of their own affairs. That the apparent liberality of its provisions with respect to the election and duration of Assemblies, is rendered completely nugatory by the limitations imposed upon their jurisdiction and powers. That while no Constitution can be said to confer real powers of self government upon a people which does not vest in their representatives the disposal of their own revenue, the Civil List reserved under the proposed measure, which amounts already to nearly one-third of the revenue, and which Sir George Grey has recommended to be increased to nearly one-half, is withdrawn from the jurisdiction of the colonists altogether; and a power is further given to a Nominee Council of taking whatever proportion of the remainder they may think fit for the purposes of the General Government; so that in fact the balance left to the disposal of the Provincial Councils will be little more than nominal. And that, lastly, the insti-

tution of a Legislative Council, composed partly of representatives of the people, and partly of nominees of the Crown, is not only incompatible with good government, but appears as if expressly calculated for the purpose of producing discord and mutual obstruction. For the foregoing reasons, therefore, this meeting rejects the measure in question, and pledges itself to resist its introduction by every constitutional means."

The following words from the 'Wellington Independent,' in publishing a report of the meeting, accurately describe the impression which Mr. Godley left on his hearers:—

"The manner in which Mr. Godley expressed himself in moving the first resolution, the emphasis and sincerity with which he declared his sympathy with the Association, and the satisfaction he felt in identifying himself with it, must have carried conviction to every hearer, that his words were not mere words of compliment, but that they came direct from the heart of a staunch and honest supporter of the cause with which his name is identified, the great and sacred cause of self government."

A good deal of newspaper correspondence took place arising out of this meeting. We print the two following: the first is an instance of the extreme scrupulousness of his mind in defining exactly the position in which he wished to stand; the second as an instance of the thorough manner in which he pursued a subject to its conclusion.

[To the Editor of the 'Wellington Independent.']

SIR,—I am anxious to guard myself against a misconstruction which may possibly arise as to the significancy of my presence at the meeting of the Settlers' Constitutional Association on Monday evening last; and I trust that the flattering prominence given by you to the part which I took in the proceedings on that occasion may exculpate me from the charge of presumption if I trespass, very briefly, on the attention of your readers for that purpose.

Many of the resolutions which are described as passed "unanimously," have reference to local questions, which I have not had an opportunity of considering, and on which I do not wish to express any opinion. I beg, therefore, to say, that my object in desiring to become a member of the Association, and in attending the meeting of Monday, was simply to identify myself in the most complete manner with those

among my fellow colonists who are seeking to obtain, by legitimate and constitutional means, the inestimable benefits of political freedom, and that I wish to be understood as assenting only to the first five of the resolutions passed on Monday, as being those in which the principle above referred to is affirmed and illustrated. I have no idea of objecting to, or dissenting from, the resolutions passed subsequently to the first five: I merely abstain from identifying myself with them.

I have again to apologise for intruding upon you with a matter personal to myself; but I hold that every person who takes part in the proceedings of a public meeting, becomes responsible for the whole of its formal results, unless he expressly guards himself against such an inference.

Wellington, August 23, 1850.

[To D. MONRO, Esq., Nelson.]

SIR,—No apology was necessary for addressing me on the subject of your letter; on the contrary, I consider it as a compliment, inasmuch as it shews that you are kind enough to set a high value on my opinion. I am very sorry that the censure on your political conduct, in which I joined, has given you pain; I cannot, however, admit that I joined in it without consideration or inquiry, or without having satisfied myself that there were good grounds for such censure. My conviction was, and is, that by accepting a seat at Sir George Grey's Council Board, you contributed towards the infliction of a most serious and irreparable injury upon the colonists of New Zealand. Through your means Sir George was enabled to carry out his anti-colonial policy; no language, therefore, on the part of the colonists can, in my opinion, too strongly express their reprobation of conduct by which they have so grievously suffered. But you complain of certain assertions contained in the fifth resolution, passed at the meeting of the 19th August, in the spirit of which I entirely concur. Those assertions are—first, that Lord Grey's despatch places the nominees in a humiliating but just light; and, second, that they are undoubtedly the puppets and obedient servants of the Governor.

Now, by both of the foregoing statements I am prepared to abide, and I think the proof of them will not be difficult. You argue that Lord Grey was wrong in denying your independence, because you took your office unfettered by any pledge of obedience or conformity; and, in fact, considering yourself independent, acted accordingly. I answer, that the circumstances under which you took office virtually rendered independence impossible. In the first place, Lord Grey, the representative of the authority from which you derived, interpreted your adhesion as an abdication of independence, and was prepared, of course, to act in conformity with that interpretation. He knows that nominees, accepting office in despite of, and in opposition to, the great body of their fellow citizens, cannot be independent: their position is too false and too weak. The idea of their standing up for the rights of a community which rejects and repudiates them, against a Government whose partizans they have declared themselves, is an anomaly and an absurdity; they would have no moral support in doing so; they could not stand for a moment, isolated and unaided, in the character of an "opposition;" the Government could do as it liked with them, and the worse and more contemptuously it treated them the better would the real "opposition"—that is, the great body of the community—be pleased. All this Lord Grey, a statesman of great official experience, knows well; and he knows also that as in theory it is to be expected, so in practice it is invariably found, that an Assembly of nominees is an Assembly of "puppets and obedient servants." With the very best intentions they cannot be otherwise; they are the slaves of their position.

But perhaps the best proof I can give of the substantial truth of the statements you impugn, is to be found in the occurrences which have given rise to this correspondence. If you were so free and independent (as you assert), if your position as a nominee was so good a one, allow me to ask—*why you resigned it?* According to *my* view, the whole affair was quite simple and natural. Sir George Grey, evidently considering you as "puppets and obedient servants," treated you with the scanty ceremony proper to such a relation; after

you had served his turn by constituting yourselves a "Legislature," there was no further need of you; accordingly, as he thought the exhibition made by the Council neither useful nor creditable, he determined to forego the empty form of assembling and consulting it, and to govern openly, as he had before done virtually, with and by his own will and pleasure alone. You rebelled against so distinct and irrefragable an averment of your political nullity, and did the only independent thing which it was possible for a nominee to do—that is, you resigned. But, if you could have done anything better; if you could have altered your independence by effective political action, again, I ask,—why did you resign? The fact is, that your moral instinct revolted against the degradation of the position which you theoretically defended. You might *argue* as you pleased about your independence, but you *felt* that you were a "puppet and obedient servant;" that is to say, that it was only on the condition of being so that you were allowed to have any political existence at all. Your conduct is quite inconsistent with your arguments, and I honour you because it is so.

I trust that you will pardon my expressing myself with so much freedom, and (what you will call) severity. You have invited me to do so by accusing me of *inconsiderately* censuring the nominees. I trust I have shown that at least I had reasons for my censure—reasons which fully satisfy my own mind, though I can hardly hope that they will appear equally cogent to you.

Wellington, October 2, 1850.

LYTTELTON, 1851.

On the 16th December, 1850, the first body of colonists arrived at Lyttelton, where Mr. Godley had taken up his abode about a month previously.

The first public meeting was held at the Mitre Hotel on the 14th of August, 1851. Sir George Grey had written to Mr. Godley to know whether the settlers at Canterbury desired to have their settlement erected into a separate Province. The meeting was called to consider that proposal; and Mr. Godley, being called to the chair, spoke as follows:—

It is my duty to open this important meeting—important as to its character, because it is the first political demonstration in this colony, and important as to its end, because it is the first political demonstration in this colony, and important as to its end, because it will probably determine the condition under which you will, for many years to come, exercise your political privileges; and I will do so by stating the objects which its conveners have had in view, and the question on which it will have to decide this day. But first, it will naturally be expected that I should take some notice of the circumstances under which Sir George Grey wrote the letter which has just been read, and of the manner in which he introduced the subject to the Legislative Council of the colony. About two months ago I addressed a letter to his Excellency, in which I brought under his consideration the understanding which had been conveyed by the Colonial Secretary to those by whom this settlement was colonized, that as soon as possible, if no unforeseen circumstances should intervene, it should be formed into a separate province. In that communication I did not raise (as it was not my business to raise) any question with respect to the boundaries of the Province which might be constituted in pursuance of Lord Grey's implied promise. I left it, as indeed I could not help doing, to the same authority which has the power of conferring a Provincial constitution, to declare how far its jurisdiction should extend. With respect to our land regulations,

if I had asked, or if the Canterbury settlers were now to ask Sir George Grey (as he implies) the possibility of their doing, to extend those Regulations to other districts, we should be guilty, as he must know, of a gross absurdity, inasmuch as he has no more power to comply with such a request, than he has to extend our Land Regulations to China. No such proposal, therefore, was made, or could have been made by me; and his Excellency's allusion to it, hypothetically, in his reply, is entirely uncalled for and irrelevant.

Not content, however, with intimating to me his objections to comply with a request which had never been made, Sir George Grey thought proper, in his place in the Council, to found, nominally on the official letter which I have mentioned, but really, as it appeared afterwards, upon a private communication, "so far as he remembered it," made to him by me, and upon "rumours which had reached him from other sources," of a desire on the part of the Canterbury settlers to extend their block; to found, I say, upon these "remembrances" and "rumours," an elaborate and unmeasured attack upon the Canterbury Association, although the Canterbury Association at least was upon his own showing altogether guiltless of the offence which formed the text of his remarks.

Now I am not about to be betrayed by any provocation, however strong, into an unseemly personal controversy with the representative of the Queen; I am not going to bandy reproaches and insinuations with him; I will not attempt to prove that the members of the Canterbury Association are as good friends of the Church, and as well acquainted with the principles of colonization as he is; still less will I follow him into a disquisition on the good or bad effects of religious endowments: but it would not be right for me, holding the position which I do, to pass without notice so violent an attack on the body which I represent, coming from so high a quarter: I will, therefore, putting aside all personalities, make a few very brief, and I trust inoffensive remarks on the

essential matters treated of in Sir George Grey's speech. Sir George objects, as it appears, to colonizing associations generally, and to the Canterbury Association particularly: to the former, because they interfere with the colonizing functions of the local government; and to the latter, because it violates the liberty of conscience, by applying a portion of its land fund to the purposes of the Church of England. I will consider both these points.

I must begin by saying that I entirely agree with Sir George Grey in his disapproval of colonizing associations, whether they be composed of land speculators or of amateurs. I believe that their existence and functions are altogether repugnant to sound theory, and almost necessarily productive of great practical evils. Yet I have been an active promoter of the Canterbury Association, and I now stand here to defend it, on this ground alone: that it is better than the Government. If we had a Government able and willing to make its waste territory available for British immigration, and to give facilities to intending colonists for managing their own affairs, and colonizing on their own principles from the first, I should be prepared to admit that an amateur association like ours was an intruder. But as it is, I have no hesitation in asserting that our mission is perfectly legitimate and exceedingly beneficial.

It must have been really rather difficult for Sir George Grey's audience to keep their countenances while he denounced the Canterbury Association as an obstacle to the legitimate colonization of this district by the subjects of her Majesty: in other words as keeping people out of Canterbury. If any one else but the Governor had used such language, I should really suppose that it had been used in irony. Why, what is the fact? Most of those whom I address know, and all of them ought to know, that for seven years, that is, from 1839 to 1846, the Government, of which Sir George Grey is the representative, possessed almost unlimited powers and opportunities for colonizing these

islands. I say almost unlimited, for the New Zealand Company's interference was confined to the comparatively small districts of Wellington, Nelson, and New Plymouth, and the native inhabitants, in this island especially, would have been only too happy to dispose of their rights over the waste territory at a nominal price. For seven years, then, Sir George Grey and his predecessors have had nearly the whole of New Zealand, for twelve years about half of it, under their control and in their hands. They have had every conceivable advantage and facility at their command; funds, troops, steamers, civil administrations, surveyors. They have spent more money in one year than we are likely to have at our disposal in five; and what have they done? I will tell you. By means of an extravagant expenditure they have founded one settlement, or rather they have founded one seaport and garrison town which is not a settlement, to which I do not believe 500 actual settlers have ever gone. That is all, literally all, that the Government of New Zealand has done for colonization. And yet Sir George Grey gravely complains that the Canterbury Association are keeping her Majesty's subjects from colonizing this district under the auspices of the Government—he taunts us, in fact, with being an obstacle to colonization. Why, if it were not for the Canterbury Association this district would be a wilderness still, as it was for so many years before we came. We discovered it, we surveyed it, we made it available for settlement, we made known its existence and capabilities in England and Australia; we organized and administered the system of operations by which this desert has been peopled; and, after having done all this at vast labour, and with no small outlay, it is rather too bad to be told by those who have been doing nothing all the time, that we are keeping for our own purposes a great and fertile district out of the hands of her Majesty's subjects—I say again, if we had not come here, this great and fertile district would still be, as other great and fertile districts over which Sir George Grey's jurisdiction is

unlimited, still are—unsurveyed, untenanted, almost unknown. When, therefore, the representatives of Government shall have performed some part, however trifling, of their colonizing duty, it will be time enough for them to attack others for stepping in to supply their deficiencies. We may colonize badly, but they do not colonize at all. We have done more for colonization in a month than they have done in twelve years; ay, and more, as every man in New Zealand well knows, than they are likely to do in twelve years to come.

And this leads me to a consideration of what Sir George Grey has said of our imposing onerous and prohibitive conditions on the acquisition of land by the working classes of this settlement. Why, the working classes of this settlement would not be in existence if it were not for the Canterbury Association. What is the use of telling them that they would have got land on easier terms if it had not been for us? Why, if they had never been brought here they could not have got land at all. Neither they nor any one else got land here, I am inclined to think, while it was the demesne of the Crown. Onerous and prohibitive as our conditions may be, more land has been bought under them by working men within the last six months, than would have been bought by them or any similar class of equal numbers in ten years in England. That is the point I wish to insist upon. Our system may be a bad one; I know it is a defective and imperfect one; but it has brought the people whom I see around me here, and placed before them prospects which they could never have had at home; difficulties, hardships, perhaps distresses, they may suffer in this country, and they may be often disposed to lay these at the door of the Association; but I am not afraid of saying here, before them all, that I accept, on the part of the Association, the responsibility for their difficulties, if they will promise to give us the credit for their ultimate success. They may object, sometimes with, sometimes without justice, to many things we do; but the

true question between us and the Government as it bears upon their case is this: whether, on the whole, their condition will not prove to have been bettered by emigration? If it be so, then we who have enabled them to emigrate, deserve better at their hands than the Government, which to the end of time, would never have stirred a finger for such a purpose.

I now come to the violation of conscience theory. Sir George Grey has endeavoured to make the people of Canterbury believe that we violate conscience by applying a part of our land fund to religious and educational purposes. I trust I shall not be guilty of impropriety if I say that such an argument does not deserve serious notice. In fact, it is not argument, it is mere ad captandum declamation. There is not, I venture to say, one individual in the settlement who ever dreamed of such a grievance until it was put into his head. When a man comes to buy land, as when he comes to buy any other article, the only thing he troubles his head about is whether he gets the value of his money. What use the seller will make of the price, whether he will build a church with it, or get drunk with it, is a matter in which, very properly, indeed necessarily, the buyer does not consider his conscience as implicated in the slightest degree. Perhaps the value of the accusation is best tested by an argumentum ad hominum. I wonder what Sir George Grey would say to any one who refused, on the plea of conscience, to pay taxes to Government, because the Colonial Chaplain is paid out of the treasury; and that is a much stronger case, because a man cannot help paying taxes, whereas no one forces him to buy land. It would really be a waste of time to dwell upon such grievances as this. But perhaps the most original and ingenious form into which it could be put is that of complaint on the part of the old settlers in Canterbury. They, it seems, are the persons whom we have most deeply injured, by forming our settlement in their neighbourhood. They are martyrs, poor men, for conscience sake! I think my friend

Mr. Deans is not very likely to complain that we have injured him by planting the future capital of New Zealand within two miles of his homestead. My friend Mr. Rhodes is sometimes a little inclined to grumble and complain, but I don't think even he will join Sir George Grey in voting for the relief of his conscience by the annihilation of Lyttelton. The persecution to which we subject him may be very severe, but I doubt very much whether he be not effectually consoled by the market which we provide for his wethers.

In considering the objections against the endowments of churches and schools, we should never forget this most material fact, that it has created the very fund out of which it is paid. If it were not for this provision, the Canterbury Association would not exist, and without the Canterbury Association neither settlement nor land fund would exist at this moment in the plains of Port Cooper. I purposely abstain from arguing for the present, as I might easily do, this question on the higher ground that our scheme of colonization is sound and right, and that in providing endowments for religion and education, out of a fund voluntarily contributed, we are right; because this is not the proper place for discussing such subjects as these, and because I know that of course there may be a legitimate difference of opinion about them. I have therefore preferred to take the lower, but more obvious ground, that by means of our plan this district has been colonized with almost unprecedented rapidity and success, and that without our plan it would not be colonized at all; and I have a right to say, that such being the case, Sir George Grey should rather address himself to shew the superiority of his system over ours, by turning to account his own great opportunities of colonization, than by depreciating and discrediting the efforts of those whom he cannot rival.

I will conclude my observations on the subject of the Canterbury Association, by saying that in my opinion its mission will have been accomplished when the settlement shall have beenfounded, and when its local government shall have been

constituted. I say that as soon as the people of this country shall be placed in a position to govern themselves, to choose their own officers, to make their own laws, and to administer their own revenues, I for one hold that all our powers and functions ought to cease. There is no doubt that it improperly interferes with the powers and functions of the local government. Nothing can be more anomalous than that your land fund should be administered by the representative of another distant and irresponsible body called the Canterbury Association. All I say is that nothing would be gained by our transferring it to another distant and irresponsible authority called the Colonial Office. I trust I shall not be misunderstood if I maintain that, putting of course a comparison of personal merits out of the question, the Association's agent, living among you, and having no public interests to look after but yours, is more likely to look after them well, than the Governor, who is, comparatively speaking, a stranger to you, and who has a thousand affairs more pressing upon him than yours to divert his attention. Until, therefore, there shall be a local government entitled to the confidence of the people established here, the Canterbury Association is bound to retain the powers of which it is trustee. When such a government shall be constituted, it is the equally bound, and I will say virtually pledged to surrender them. I assure you that my conviction of this forms one of the strongest motives which urges me to take a part in the movement which we are originating to-day. Those who wish, as I wish, that the anomalous functions of the Association should cease, so far as is possible consistently with the conditions on which their enterprise was undertaken, are bound to agitate for a local and responsible government.

I will now address myself directly to the practical question which this meeting has to consider this day. We are met to declare, in compliance with the expressed wishes of the Governor of New Zealand, our opinions on the advisableness of making Canterbury a separate province. Now, I should

be very sorry to exaggerate the importance of this matter. Certainly the question as to the boundaries of our municipal territory is much less important than that as to the nature and powers of its government. It is one, too, of what may be called mutable and temporary importance; for it is reasonable to suppose that in the course of no very lengthened period, whatever arrangement we may now establish of provincial jurisdiction, will be modified by necessity or convenience. As communications become more frequent and easy, and as in the progress of wealth and civilization a leisured class comes into existence, able and willing to make politics a profession, and to devote their whole time to such pursuits, it becomes possible and desirable to abolish provincial distinctions, and to centralize governmental power. The extent, therefore, to which political subdivision should be carried in any particular case is quite arbitrary: it is a question not of principle, but of degree, and one on which I hesitate to speak with any degree of confident assurance. In deciding it, in fact, we are compelled to strike the balance between opposite inconveniences and dangers, and when I give my own opinion in favour of separation, I know I advocate a course which involves risk. I wish it therefore to be understood that I advocate it only with this distinct qualification—that separation be carried out in a proper manner, that it be, in fact, a reality, not a sham. Everything depends on the composition of our Provincial Government and its powers. If the only result of separation be a repetition of what has occurred at Wellington; that is, if we are to get nothing by it but the establishment of a petty court, and the appointment of a number of officials with fine names and nominal duties, while the real administration of the province is still to be carried on at the seat of central Government, then I say emphatically we are infinitely better without it. The Provincial Government of New Munster is an expensive nonentity, and I protest against the introduction of anything like it here. It is necessary to say this very

distinctly, lest Sir George Grey should find in anything we do an excuse for saddling us with a costly Provincial Government, and giving it, when constituted, nothing to do. But if separation be carried out with a real bonâ fide desire to make it work well: in other words, if we obtain the real management of our own affairs at the lowest cost consistent with efficiency, then I think, in our existing position, the change would be very beneficial to us; and I will tell you the reasons why I think so. If I were asked what is the main lesson that I have learned from my colonial experience, I should say it was the blighting and ruinous effect of distant government. I stand here, myself the agent of a distant and irresponsible governing body, to say that I think no amount of abilities, no amount of theoretical knowledge, no amount of zeal and disinterestedness, can even approach to compensating for the enormous disadvantage of being without personal interest in its local affairs. It appears to me as indisputable as an axiom in Euclid, that a country governed from a distance will either be jobbed and tyrannized over, or altogether neglected. Now, the settlement of Canterbury, under existing circumstances, is in the latter category; there is really and truly no government at all here at the present moment; we get on as well as we can, ungoverned. And yet the circumstances of our position are exactly those which require the greatest amount of present, active government. It is the greatest mistake to say, as I have heard it said, that a new country does not want government. The exact converse is the truth. In an old country, like England, for example, where long use has moulded, and fitted, and dovetailed, and oiled, as it were, every part of the machine of society, where every contingency has been provided for by a precedent, and every individual runs, as it were, on a tramroad of convention and tradition, from which he can hardly diverge, there is scarcely any need of government in the ordinary sense of the word. In England people would get on very well without any higher authority than that of the con-

stable. But where a new society, like this, is formed under conditions in many respects unprecedented, an urgent want is felt for an ever-present, ever-living fountain of authority and law; new institutions must be framed to meet new emergencies, and men must be taught and made to perform duties to which they have never been accustomed. Every step in the formation of a new community needs the sanction and regulation of a new law; and requires, moreover, in the law-giver an intimate local and personal acquaintance with the details to be provided for. We want a law for the administration of our pasturage, a law for the making and repairing of our roads, laws for the regulation of our hospitals, and schools, and cemeteries, for facilitating common drainage, for establishing ferries. But I will not weary you with a catalogue which might be prolonged indefinitely, of subjects for local legislation. It is sufficient to draw your attention to the fact that the crude and imperfect state of our social relations makes a present, active Government peculiarly necessary to us. And this is exactly what we cannot have without a restricted and local jurisdiction. Look at the matter practically, for this is a question which requires to be looked upon from the point of view of common daily experience. For all practical purposes we might almost as well be governed from England as from Wellington. Our interests and requirements, however important to ourselves, are not so to our governors, and we cannot get them attended to. Our letters are hardly ever answered under two or three months, and many of them are never answered at all. I will illustrate my position by a somewhat trivial example, which may serve to indicate the practical inconvenience of the present system. Exactly two months ago, Mr. Gouland informed me that henceforth he could not pay any money out of the Treasury without a special written authority from the Governor. Accordingly, I wrote at once to Wellington, to ask for a general authority to some person or persons residing here, to provide for the necessary casual expenses of Government, and

to that letter I have as yet received no answer; so that, with a very large sum lying idle in the Treasury, a considerable part of the current expenses of Government, those for example of the hospital, and the casual expenses of the police, are actually obliged to be advanced by any one who can be found charitable enough to pay the money for them, and wait for repayment till the bills are sent up to Wellington and returned. Nor should we be much better off, I fear, with a central representative Government as regards constant attention to our local concerns. Even supposing, which would probably not be the case, that our own representatives could, if present, enforce such attention, it is really more than doubtful whether the men whom we should like to choose would be inclined to leave their business and live for a considerable period away from their homes. We are very busy, and not very rich just now, and what we want is a homely government, of which the members may take their share in public business without neglecting their own.

But this is not all: our position among the settlements is altogether exceptional and peculiar, and requires exceptional and peculiar handling. The pastoral nature of our country, the absence of natives, the existence of a land fund, the extensive immigration from England which is going on, and above all, the presence and the influence of the Canterbury Association, all these things distinguish us so broadly from Wellington, Nelson, and Otago, that I feel convinced that for the present we had better pursue separate paths. The laws which suit us don't suit them, and vice versâ. Again, it is a natural and laudable instinct among colonizers to desire the freest possible scope for giving effect to their peculiar tendencies: religious, political, and social. They like to try their own experiment—in other words, to create something. And so it is with us. The people who have come out here have their own notions, no doubt, of the kind of laws and institutions that are best for them; and one reason with them for coming out here was that they might be able to realize

those notions. They only ask for liberty to try their hands. Even those who differ from us ought to be glad to give us the utmost scope for our experiments, in order that if we fail, our failure may be the more conspicuous, and the condemnation of our principles more complete. In any event we shall be useful to our neighbours. If we fail, we shall be a warning to them; if we succeed, we shall be their model. But at any rate let us try; let not our aspirations, and our efforts be crushed and thwarted by swamping us in a crowd. Give us a chance, we ask nothing but that, and it is surely not too much to ask; the right of standing or falling by our own exertions, and of turning to what we think the best account the capabilities of our adopted country, and this we cannot do on fair terms unless we work unimpeded and alone.

Again: I have heard it said that we are too few to govern ourselves, and that our territory is not large enough to be a province. I protest altogether against the assumption that the amount of population is in the smallest degree a test of fitness to exercise legislative powers: it has nothing at all to do with it. Local position and peculiarities, not numbers, should determine the extent of political sub-division. I see no reason why the people conveyed by the first ship to an uninhabited country should not make laws binding on themselves the day they occupy their new home. It was so at the time when America was colonized, and I can answer for it that the principle has worked well there. The first body of emigrants to New England numbered but 120 souls, and yet from the hour of their landing they exercised absolute and complete power of self-government. There were only 350 colonists in Massachusets when the charter was transferred to the colony. Rhode Island, Connecticut, Newhaven, had every one of them fewer inhabitants than the town of Lyttelton when they established their municipal independence. In the middle of the seventeenth century, a population of 20,000 souls in New England was divided into five separate and independent colonies, and I find the historian of the United

States remarking on this municipal subdivision, and the variety of laws which it produced, that they "exercised a beneficial influence on the colonists, by prompting them to examine and discuss the merits of the different systems, and thus promoting a constant and animating circulation of political sentiment and opinion." It is very remarkable too that the constitutions which were then framed have scarcely been altered since, while under their shadow those small and feeble communities have been growing into great and powerful states.

Another objection is the additional expense said to be entailed by separate Government. I really do not see why a separate Government should entail any additional expense worth talking of. I do not see that we want a Lieutenant Governor, or a new Judge, or any material addition to the number of public officers, over and above what will be demanded by the increase of population and business, if we remain a dependent settlement; what we want is a change in the nature of their powers and responsibility. Laws made by ourselves will not require more officers to execute them than laws made by other people. A Provincial Council will cost us nothing except a law officer to prepare bills, and the expense of building a council room, and that of a clerk or two. If we only try, we shall find that a few gentlemen can meet in a small room, and despatch public business very efficiently, without calling themselves by fine names or drawing high salaries. I assure you this fear of additional expense will turn out altogether unfounded, if this matter be properly managed. There are ample means a our disposal for all that we really want. Our revenue is already more than £6000 a year, and no Colonial Government in the early days of British North America cost one-half of that sum. Within twelvemonths it will be doubled, and we ought to have a surplus of £9000 or £10,000 a year from the Customs alone to spend upon our public works.

In fact, the probable existence of a surplus revenue forms

a strong ground for claiming provincial separation. The surplus revenue of this settlement may and ought to be very large; and if so, if through our industry, through the exertions of our friends in England, and through the natural resources of our country, this settlement advance, as humanly speaking I know it will advance, in prosperity, in wealth, in population, I say it is fair and right that we, the inhabitants of it, should reap the fruits of its progress.

But the chief reason which influences me, I fairly confess it, in wishing for a local government, is one by advancing which I know I expose myself to be misconstrued, sneered and cavilled at; but I cannot help telling you what I know to be the truth. I want to see the people of this settlement taking an interest and a part in politics, and thereby training themselves in the exercise of those faculties which are engendered and nurtured by freedom; and I know they will not do so unless politics are brought to their doors.

I am not one of those who think that the prosecution of agriculture and commerce, and the cultivation of the domestic virtues, constitute the whole duty of man. I do not think the man who "minds his own business" only, discharges himself of all his responsibilities to God and to his neighbour. On the contrary, I hold that among the many advantages of free institutions, the greatest and most precious is, that they elevate and ennoble the characters of those who enjoy them, by drawing them out of the restricted circle of their private concerns into the arena of public life; by teaching them to think, to speak, and to act upon questions of universal interest, and by thus bringing into play the highest faculties and instincts of their nature. In the school of freedom are nourished patriotism, self-devotion, energy, fortitude, and all the long train of civic virtues which cannot exist without it. This language may be sneered at as high-flown and sentimental; yet I venture to say, almost every one here who thinks on that subject at all, is conscious of the practical evils to which I allude, and which I am so anxious to avert. Few,

I think, can fail to observe the tendency which prevails here, as in all communities despotically governed, to an apathy and carelessness about everything that does not affect our personal interests, to a certain isolation and want of public spirit; above all, to a kind of cowardly dependence upon authorities; a dependence which is not at all inconsistent with habitual discontent. If provisions are dear, if there is a heavy sea on the bar, if the roads are soft after the rain, if the Bank refuses to discount bills, it is ten to one that the man who suffers by any of these untoward circumstances, lays it on the head of of the Canterbury Association, because in the absence of any real Government, the Association stands in the place of a Government here. Now what I want to see is the whole burden of setting these matters to rights thrown upon yourselves. No people was ever yet fostered and dry-nursed into prosperity. By being forced to do your own public business you will learn to do it well. If I had the produce of all California at my disposal, and the administrative genius of a Napoleon or a Cæsar to deal with it, I should not be the less, in my present position, an incubus on your energies, and an obstacle to your progress. I shall never rest, therefore, till I see such institutions established here, as shall enable, aye, and compel you to do without extraneous aid, as well as extraneous interference. One is as noxious as the other; your motto must be "Ourselves alone."

Again: it is a great mistake to suppose that a people which interferes with politics is thereby unduly diverted from industrial pursuits. History and experience have taught me a very different lesson. They have taught me that, as a general rule, freedom and industry have gone hand in hand, and that just in propertion as institutions of self-government, with their necessary consequence, political activity, have prevailed among nations, has been their progress and success in all the arts of civilized life. I need not go back into remote history for proofs of this. I will take the examples immediately before our eyes, of the countries with which we are

most familiar, England and America. It cannot be denied that the English and Americans are of all modern nations those which take the most unremitting and active part in political affairs; and so, on the other hand, they are of all modern nations those which carry on most keenly, indefatigably, and successfully, every kind of private business, whether it be agriculture, manufacture, or commerce. They find time to look after their public business, and their private affairs as well; because freemen beat slaves at every thing, weight them as you please. Away, then, with the base notion that because we have a great deal to do in settling ourselves just now, it is better for us to have the business of government taken off our hands. A people that acts consistently on such a notion is virtually a people of slaves, and will soon exhibit all the vices and all the weaknesses which follow in train of political enslavement.

I have now concluded: I have laid before you to the best of my ability the various points of view from which, in my opinion, the question before you ought to be considered. I have not, I trust, exaggerated the benefits to be expected from the measure which I advocate. I have not concealed from you my conviction that there is serious danger of its being carried out so as to do more harm than good. If, notwithstanding this danger, you have the courage to ask for the measure, and after having obtained it to resist manfully any delusions and abuses which may be imposed on you under its cover, I believe you may, through its means, set a fruitful example to the British Empire and to the world—the example of a people contented and loyal, yet independent and free—of an educated people fearing God, and a self-governed people honoring the king.

CHURCH GOVERNMENT.

On the 15th of March, 1852, a meeting of the members of the Church of England was held in the temporary church at Christchurch, for the purpose of taking into consideration the establishment of some organized government for the Church of England in New Zealand. The meeting was called by public advertisement, by the Rev. O. Mathias and the Rev. R. B. Paul, the Commissaries of the Bishop of New Zealand.

Mr. Godley proposed the first resolution, and spoke as follows:—

The resolution which I have to propose is one which may be said to express a truism. The Church in New Zealand, as elsewhere, is a society having a definite mission and certain practical ends to accomplish. Its essential principle, the very condition of its existence, is work. To my mind, the notion of an inactive or passive Church seems almost an absurdity. Indeed, what I say of a Church applies more or less to every associated body. When men form or join a society, ecclesiastical or secular, the idea is almost necessarily involved of their doing something in combination which as individuals they could not or would not do; otherwise, why should they combine? But a society, in order to work, must have an organization and a government; it must have forms, laws, qualifications, executive instruments; it must have a head and hands. Accordingly, every association of men for any purpose whatever begins by constituting a government; on however small or humble may be its scale and object, whether it be a penny club, or a building society, or a political union, or a religious sect, as a matter of course it appoints its managing committee, or its president, or its synod, or whatever else it may please to call its legislative and executive organ. Through the medium of this organ it acts, and speaks, and does its business; without this organ it would be an unmeaning and objectless list of names. Therefore I call it a truism to say that it is exceedingly desirable for the Church of England in New Zealand to have a form of government. The wonder is, indeed, that at this stage of our ecclesiastical existence we should have to enunciate so

self-evident a proposition. Yet so it is; this truism is not merely ignored, it is actually disputed. While, so far as I can recollect, there is not in the world another instance of a society without a government, to many Englishmen it appears right and proper that such should be the normal condition of their church. If you go to the shareholder in a joint-stock bank, or in a railway company, or to a Wesleyan or a Presbyterian, and ask him how the society he belongs to is governed—that is to say, who makes and who executes its laws—not one of them would be for a moment at a loss for an answer; he could inform you with respect to its organization as easily as he could with respect to its character and object. But if you go to a member of the Church of England and ask him the same simple question, what answer can he give? Is there any one here present who can tell me how the laws of the English Church are made? who speaks our collective voice? who does what we have as a corporation to do?—in a word, who manages our affairs? One man may refer me to certain laws made in the year 1603 for the government of the Church, and may reply to me by describing the judicial machinery provided for the execution of them; another may tell me that Parliament governs the Church; another that the Queen, another that the Bishops govern it. And in each of these answers there would be a certain amount of apparent truth. The canons are nominally the statute book of the English Church; Parliament does occasionally legislate in matters ecclesiastical; the Queen is, in theory, the executive head; the Bishops exercise, after a fashion, certain governmental functions in their respective dioceses. But still the question, "Who governs us?" taken in its ordinary common sense meaning, remains unanswerable. The canons are necessarily and properly for the most part obsolete and unexecuted; as, indeed, it is absurd to suppose that any human authority could devise complicated rules of action for a society which would answer its purposes and supply its needs for 250 years without addition and alteration. Par-

liamentary legislation in Church matters is a usurpation, founded simply upon might; the Queen's authority is as purely nominal in ecclesiastical as in civil affairs; the Bishops have no recognized collective authority at all, and in their respective dioceses exercise the simply ministerial office of carrying out the existing laws. No real governmental power resides in any of these functionaries, because a right to make laws is an essential attribute of a real Government; and no existing authority has a right to make laws for the English Church.

In considering this state of things, I confess it seems to me difficult to resist the conclusion that even the endurance of it implies, in a degree, paralysis; contentment under it would imply the absence of life. A society that cannot make a law for the regulation of its own affairs, or express a corporate opinion, or do a corporate act; that is unable, in short, to perform any of the functions of life, can only by a great stretch of language be said to be a living body. Whatever may be the numbers and energy of its individual members, as a society, I say, it is virtually dead. However, such being the state of the Church of England, she has sent out numerous bodies of offspring to all parts of the world—I beg your pardon, she cannot send, because, as I have explained to you, as a Church she cannot do anything—I should have said numerous bodies of her offspring have gone out from her, bearing with them the principles and traditions of their spiritual mother, and they have to adapt these as best they can to a new set of political and social circumstances. Amongst other things they have to see how they can get on without government in a state of things which urgently requires corporate action. The Colonial Church is cast on her own resources altogether; she has, generally speaking, neither influence, nor funds, nor consideration bequeathed to her, or provided for her ready made; she must obtain them as she can by personal efforts, if I may use the term. But personal efforts require, of course, a

personal agency; in order to collect funds, to build churches, to get and keep congregations, to exercise order and discipline among them, and to convert the heathen, a machinery is wanted; the old machinery, such as it is, is inapplicable or inadequate, and there is no one with authority to create new. The consequence is, that the Anglican communion almost invariably falls, at the commencement of a colony, below the level of other denominations. I do not recollect a single instance when, under such circumstances, she can be said to have held her own. Other sects come out accustomed to self-organization and self-government, each branch is complete in itself, prepared at all points, ready for its work. Anglicans alone, when removed from the sphere of their old associations, stand bewildered and apathetic, and unable to move or act; looking for help from Government, or from the mother-country; from every quarter, in fact, but from themselves. Though generally richer than other denominations, they cannot or will not support their own ministers; at least, I know that in those colonies with which alone I am personally acquainted, it is so. In British America the English people, through the Society for the Propagation of the Gospel and the additional Bishoprics' Society; and in New Zealand the people of England, through the Church Missionary Society and Parliamentary grants, almost exclusively support the clerical establishments of communities which are perfectly well able to do it for themselves, and would be perfectly willing, too, if they were not enervated by long disuse of the habit of acting for themselves in ecclesiastical affairs.

At the same time it would be only fair to say that the Church of England in the colonies is far from being on a level with other sects as regards freedom of action. Deprived as she is of the advantages resulting (or supposed to result) from state connexion, it is believed (for such is the absurdity of the system that no one seems to know exactly what its principles or practices are, but it is believed) that she still remains fettered by the liabilities which were the incidents

of her establishment in the mother country. I will illustrate what I mean of an example which occurred not long ago in this colony. A member of the Anglican Church wished to marry a Jewess: the clergyman refused to perform the marriage, and persevered in its refusal: but the bishop told me he had been informed by the Judge that if the parties applied for a mandamus to compel the clergyman to marry them, he (the Judge) would have felt it his duty to grant it. I am not going to enlarge on the intolerable tyranny involved in the existence of such a state of things: I allude to it at present as shewing the necessity, not only for a complete review of our ecclesiastical affairs, and for the establishment of new and radically different principles of church organization, but also, perhaps, for parliamentary assistance in breaking our bonds.

I have now, Sir, attempted to show why in the words of the resolution which I am about to propose, it appears desirable that a form of government for the Church of England in New Zealand should be established with as little delay as possible. I have attempted to explain that without it she cannot properly fulfil her most ordinary and necessary functions, and that to the want of it is mainly to be attributed the apathy and helplessness which are such melancholy characteristics of our colonial churches. I will next endeavour to corroborate the view I have taken by quoting the example set to us with respect to this matter by a sister church, which found itself not very long ago in circumstances analagous to our own. I mean the Protestant Episcopal Church of America. It is often said by enemies of the English Reformed Church that she is the creature of the state, dependent on her establishment and her endowments for existence, and incapable of standing like other ecclesiastical bodies, humanly speaking, by her own strength, and working with her own means; and I confess if I were to look at the present state of our colonial churches alone, I should find it difficult to rebut the sneer. But I can show another side to the picture. When the

United States declared their independence, it may be said (humanly speaking again) that the Church fell with the Monarchy; episcopacy, especially in communion with the Church of England was, for obvious reasons, not only unfashionable, but almost infamous; the endowments of the Church, which had been very large in some of the States, were taken away; her edifices were destroyed; even her communion plate was sold; numbers of her clergy emigrated together with the most earnest members of the flocks. In short, it is impossible to conceive a more complete and overwhelming prostration than the American Episcopal Church then suffered: one would have said that within the lifetime of a generation her existence in the United States, like that of the British Constitution on which she is said to depend, would be a matter of history. Now let us look at the sequel. For some little time the depression consequent on the resolution continued; but the American Churchmen who were left were not dismayed; they had sense to see that new measures were required to meet the emergency, and faith to believe that they would be sufficient to meet it. Now, it is instructive for us to remark that the first step they took when forced to shift for themselves was the formation of a governing body. The first general convention of the American Church met in 1785, only three years after the peace: the first American Bishop was consecrated in 1787. The Church was organized with a rapidity and completeness eminently characteristic of the administrative talents of the people, the civil constitution of the Republic serving naturally to a great extent as a model. A general convention was constituted, consisting of all the bishops, and of clerical and lay representatives from each diocese, and possessing full legislative powers for the whole Church. Diocesan conventions exercised similar powers within their respective jurisdictions. Vestries administered parishes. By degrees the outline thus sketched was filled up; canons of discipline were passed; the liturgy was revised; provision was made for education, for

foreign missions, for domestic extension. Scattered and helpless individuals became an animated, active, working body, far inferior, indeed, to most of the other denominations in outward circumstances, but at least able for the first time to do justice to itself and make free use of its own resources. Before I describe the result of these measures, I must remind you that the Episcopal Church had another disadvantage to contend with. It is notorious that of the emigrants to America, a comparatively small proportion are even nominally members of the English Church. The causes of this are too obvious to require enumeration, and the fact is undoubted. The American Episcopal Church, therefore, was forced to rely largely upon proselytism, if it hoped to hold its own in numbers and influence. But to return to the historical facts. I cannot find out what the number of Episcopalian clergymen was after the revolution. I can only ascertain such isolated facts as that the State of New York, which in 1844 had 304 clergymen, had only five in 1787. I am compelled, therefore, to begin my general comparison at a later date. In 1814 I find that the Episcopal Church numbered 240 clergymen, officiating in organized parishes; in 1844, the last year for which I have been able to procure the statistics, it had 1202. Assuming that its congregations multiplied in equal proportion, and there seems no reason for doubting it, we have here the fact that in thirty years the number of American Churchmen increased five-fold, or about twice as fast as the whole population of the Union. So that even if we allow, for argument, that immigration supplied them to an extent proportioned to their original numbers, they must have more than doubled themselves by conversions alone in thirty years. And that they have done so at least, seems to be shown by the fact that, in 1839, more than one-half of the clergy, and nearly one-half of their bishops, had been Presbyterians, Congregationalists, Methodists, or Baptists. I need not say that the proportion of converts is likely to have been larger among the congregations than among those who rose to

office and dignity in the Church. Again: the American Church gets plenty of money. Her clergy, which must now amount to at least 1600, have an average income of £200 a-year; and if I add the funds raised for church building, education, missions, and other church purposes, I am sure I shall be within the mark if I set the income of the American Church at half a million sterling annually, that is, speaking roughly, 10s. a-head for the members of her communion, or £2 10s. for every family. "In fact, we do not want money," says her historian; "we have funds enough: we want men for the ministry." This is the natural result of the zeal and interest which is engendered among her members by an active participation in the management of her affairs. In every department of her proceedings, the advantages of her system are visible. When an extension of the Episcopate is required, she is not obliged to go, like some other people I have heard of, to a heterogenous legislature, composed of men of every religion or of no religion, nor to a Colonial Minister, who may be her bitter enemy, in order to ask leave to consecrate a bishop, and to discuss the boundaries of the diocese and the amount of the endowment. The American Church settles that for herself, as every Church ought. But I need not expatiate longer on these advantages of system and organization which the American Church enjoys.

I have been induced to say thus much on her constitution and progress, because as presenting the only instance of an ecclesiastical body in communion of the Church of England, which possesses a regularly constituted representative government, she affords the only available precedent for our own case, and also because the signal success which has attended a career begun under such discouraging circumstances, seems to show that, in order to fulfil her mission, the Church of England does not require endowments or state connexion; she only wants to have her hands untied, "a clear stage, and no favour." Of course I do not suppose that self-government is the only cause of the success of the American Church;

but it does appear not only to be remarkably coincident with that success, but to constitute almost the only material difference between her position and that of the Colonial Churches which are so far behind her in available life and energy. I will next notice one or two of the objections commonly made to a representative government for the Church, for I need hardly say that the form of government we wish to obtain involves the representative principle. It is said that it would encourage factions, debatings, and party contests. I will not insist on the argument that a similar objection would lie against all representative Government, civil as well as ecclesiastical; I would rather point to the American Church, and ask whether such an effect has been produced there. Of course I don't mean to say that there has been no party feeling on Church matters in America: I only say it has not been so strong, nor has it led to such evil results as in England; and that there, as elsewhere, in the Church as in the State, free and regular institutions have been, not the cause, but the cure of faction.

Again, it may be said that self-government will lead to rash and heterodox alterations in the formularies of worship and in the discipline of the Church. And here I must not be misunderstood; I would certainly claim, on the part of the New Zealand Church, the right of managing to the fullest extent its own affairs, including of course the regulation of worship, and the control over formularies. While it is necessary and right that the formularies of the Church of England should be the basis of union among those who combine to form a constitution for a Colonial Church, I must say that after it is formed I think it would be unworthy of our position as a national church to bind ourselves to those formularies for ever. Why should we not have the same right of revising from time to time our liturgies and articles to suit our circumstances, which every national Church, and which the Church of England herself, has repeatedly claimed and exercised? Are we afraid we shall exercise that natural and obvious right

badly? It is possible we may, but I am quite sure, if we are inclined to do so, no paper restriction will prevent us, nor is it advisable that it should; if bishops, clergy, and laity should at any time wish for alterations, I really see no good in trying to make them use forms which they would, on the hypothesis, disapprove of. But having said thus much on the abstract right to effect changes, I point to the American Church as my ground for anticipating that they will not be effected, at least not to any injurious extent. There was everything in the circumstances of the American Church and people to make wide deviations on their part from the English ritual *à priori* probable; yet it is well known that the deviations actually made are altogether unimportant, both in number and character; nay, it is remarkable, and forms a remarkable testimony in favour of our formularies, that in several instances where alterations have been actually made, the Church has subsequently returned, after experience of the change, to the more ancient usage.

The last and by far the strongest objection to representative government which I shall consider, is founded on the difficulty of settling how the lay element in the proposed governing body shall be constituted—in other words, who shall possess the church franchise. This difficulty is undoubtedly a formidable one; indeed, it is hardly susceptible of a perfectly satisfactory solution; for in which ever way it be settled by any particular class of persons, it is always open to another class to ask them—who gave you authority to settle it? But this is not properly an objection; it is only a difficulty, and difficulties are made to be overcome. Although we may never arrive at the solution of the question which shall be logically satisfactory, we may get, in a rough and approximate way, at a settlement of it, which will be sufficient for all practical purposes. For example, a plan might be proposed by the highest authority in our Church, the Bishop or Bishops, involving a settlement of the franchise question; and if that plan were accepted by the clergy, and the great

body of those who call themselves churchmen, it will probably be thought that as near an approximation to the desideratum of a general assent as is necessary for practical purposes would be arrived at. For my own part, I am very anxious to have this question raised; and though it is not strictly relevant to the matter in hand, and the discussion of it may appear premature, I will ask your indulgence while I say a few words about it.

After much and anxious reflection, I can see no proper qualification for a church franchise but that of full communion; and I say this quite irrespectively of any doctrinal opinion about the nature and effects of that Holy Sacrament. I say it because this qualification, or something strictly equivalent to it, is in consonance with invariable usage in the ancient Church, and also indeed in every Christian denomination, except our own, of which I ever heard. I say so, moreover, because we can have otherwise absolutely no guarantee that those who assume to legislate for the Church are even nominally churchmen, still less that they observe those laws, an observance of which all her members admit to be of the very essence of Churchmanship, and while I entertain what many would consider very democratic views about the participation of the laity in Church Government, it is a *sine qua non* with me that they should be Church laity. Now, it seems a contradiction in terms to say that a man is in communion with the Church who never communicates. The very word communion, as applied indiscriminately to Christian fellowship, and to a participation in the Lord's Supper, proves that the two ideas are, in the minds of Christians, identical. Indeed, I may be wrong, but I cannot help thinking that those who hold a different view in this matter either have hardly thought out the question, or are mainly actuated by what I conceive to be a mistaken view of expediency. Some of them fear that non-communicants would be offended; but I must say I think a man who deliberately and habitually abstains from communion with the Church, is not one to

whose opinions and feelings Church rules should be made subordinate. Others fear that a communicant's franchise might lead to a profanation of the Sacrament. Have they inquired whether in other religious denominations, where conformity to religious ordinances is invariably required as a qualification for Church government, any such profane effect is experienced or even suspected. The fact is, it really would not be worth a man's while, for the sake of so small an inducement, to be habitually guilty of so great a crime. But even if it were found, as is just possible, that such a rule might aggravate the guilt of a few abandoned individuals, ought we to place their supposed spiritual interests in competition with the welfare of the whole church? Others, perhaps, have heard the maxim that taxation involves representation, and think accordingly that every man who pays money for Church purposes has a right to participate in Church government. Have they considered how far this abstract proposition would lead them? Certain it is, that no political or religious community in the world ever admitted or acted on such a principle. No matter how far a nation may go in the direction of universal suffrage, it always stops short of making contribution to its revenue the sole qualification for political power. Women, children, idiots, convicts, aliens, may and generally do contribute to revenue, but they never enjoy its supposed correlative, that is power. Go and subscribe to a Wesleyan meeting-house, or a Presbyterian church, and see whether your doing so will get you a vote for members of the next Conference or the next Assembly. You may reasonably make pecuniary contribution one qualification, but I cannot even conceive a proposal which deliberately made that the only one. On the other hand, I hardly think any one will propose as a permanent qualification for Church government a simple statement of Church membership. This, again, would be quite unheard of; no religious or political privilege was ever yet granted on the mere condition that a person claimed it, for it comes to that; there is always required some

test of his sincerity; something that involves a question of fact upon which the claimant may be objected to, if he be not telling the truth. There remains, therefore, only the alternative of a double franchise, *i.e.*, a statement of Church membership, combined with a payment; and this is the franchise which has been apparently proposed for adoption in Wellington, and it may be said in South Australia also, for seat-renting involves in some degree a profession of Churchmanship as well as a money payment. To this rule I object, in the first place, that it does not secure the real Churchmanship of the governing body; and, in the second, that pecuniary payment ought not to be mixed up with Church franchises at all. Wherever it is adopted, the best Churchmen may be excluded because poor, while persons who are notoriously not churchmen will have votes in Church matters, and assist in making Church laws. On the whole, therefore, it does appear to me that no good reason can be assigned why the Church of England should adopt a more lax rule with respect to its franchises than any other ecclesiastical body.

I trust you will pardon me for this digression, if it be one, and for having intruded my own view of this subject on you at so much length. My object in doing so is not to procure any expression of opinion on it, still less the adoption of any practical step by the meeting; but merely to bring it before the mind of the public, in the sure hope that by full consideration and free discussion the objects which we all have at heart will be best promoted. It will perhaps be expected that I should say a few words as to the relation which the proposed body would bear to the Canterbury Association. My own view is this. It is perfectly competent for the Association to make any provision it pleases for the management of its own funds, but I have not the slightest doubt that if a body be constituted which shall really represent the Church in this settlement, the Association will, as a matter of course, hand over to it the management of its ecclesiastical fund. I will conclude by saying that the practical step we propose to

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the meeting is merely to elect a corresponding committee, and to ascertain from the Bishop and the Churchmen of other settlements what it is that they are going to do. Whether it will be our business afterwards to go more into the details of a plan, or whether the Bishop will be pleased to draw out a plan, and invite our co-operation in it, whether we shall begin by petitioning Parliament, or, as I should much prefer, the Colonial Legislature, to make us a corporation, or whether like the people of South Australia, we shall endeavour to organize ourselves, and go on temporarily without being legally incorporated, will depend on the nature of the answer we receive. I only trust that now, having begun, we shall not let the matter drop; I trust that we shall see that if our Churchmanship be not a sham, if we really take any interest in our Church, if we care as much about it as we should do about a joint-stock company in which we had invested fifty pounds, we shall do with respect to it what, as men of business, we should do as a matter of course in a worldly case, we shall claim for the ecclesiastical society to which we belong a constitution and a government.

INAUGURAL ADDRESS TO THE LYTTELTON COLONISTS' SOCIETY.

The following inaugural address to the Lyttelton Colonists' Society was delivered on the occasion of opening that institution, on the 30th June, 1852:—

LADIES AND GENTLEMEN,

The committee who were appointed to make provisional arrangements for establishing the Lyttelton Colonists' Society have requested me to explain publicly the nature and objects of the Society, in order to justify and recommend so far as may be possible, its constitution and pretensions. I purpose to do so on two separate grounds—1st, that the institution we are forming is framed after the model of those which have been tried and found useful in the mother country; and, 2nd, that it is peculiarly suited to the peculiar characteristics and tendencies of a colonial community.

Upon the first of these points I need not enlarge. Most of you are aware that institutions more or less similar in character to this, have now for a long time been established in England under the names of Mechanics' Institutes, Athenæums, Literary Associations, and various other titles; that they have attained a wide extension, and exercised a very considerable influence. It would appear, indeed, that such institutions spring naturally and necessarily out of the tendencies of modern English Society. The direction of all changes and of all progress in countries inhabited by the Anglo-Saxon race is towards conferring more and more power on the masses of the people. But all such changes must be absolutely noxious, all such progress must be from bad to worse, unless they be founded on a corresponding advance of the people themselves in knowledge and enlightenment. The instruction of the people, therefore, which was formerly a boon to one class, is now felt to be a necessity for the sake of all classes. We cannot afford to let political power fall into the hands of barbarism and ignorance. If the people are to

govern, they must learn. But while on this part of my subject, I wish especially to call your attention to the fact that the aristocracy of England, whose peculiar merit it is that they know how to march with the progress of their age, have perceived the necessity of new and improved machinery for the education of the people, and have joined largely in working it. I rejoice to see men of rank, station, and ability, such men as Lord Carlisle, our own Lord Lyttelton, and many others of their order, coming forward boldly and nobly as popular instructors, volunteering their personal services to lecture and to teach at institutions like the present. If it be true, as I have understood, that Mechanics' Institutes have lately declined in numbers and in funds at home, that result is, I think, chiefly if not altogether attributable to two causes which do not affect us here. In the first place, I think the subscriptions required in Mechanics' Institutes were too high, in proportion to the average rate of wages among the working classes; I mean, taking into consideration that large numbers of them are occasionally, for considerable periods, out of work. Although, therefore, at the first blush of the thing, when there was a good deal of enthusiasm about it, they enrolled their names, they afterwards were unable, or found it inconvenient, to keep up their subscriptions; secondly, the long hours of work which are customary in England, not only interfere seriously with the workman's ability and inclination to engage in pursuits which involve any physical or mental exertion in the evenings, but in truth leave him but little time for such pursuits. In the present case, no such reasons can be alleged for not joining our society. The subscription which we demand is, when compared with the current rate of wages, merely nominal; such, in fact, as that no individual in the community could possibly miss it; while colonial hours of work are not so long but that they certainly admit of the workman's devoting an hour or two occasionally to the improvement of his mind, without encroaching either on necessary rest, or on the discharge of domestic duties.

I wish next to state some reasons for thinking these institutions peculiarly well suited to our circumstances and wants as colonists. To begin with: I hold, paradoxical as it may appear, that the besetting sin of all society in a new country is, not idleness, but industry; or rather (to put this proposition in a less startling form), that society suffers as much by men working too much as by their working too little. You know what the old proverb says "all work and no play" makes people, and I am always afraid of our exemplifying its truth. I am always afraid of our becoming very "dull boys." Of course, you understand me, when I talk of too much work, I do not mean work in its widest and highest sense, as embracing and operating upon the whole domain of nature and art, and as signifying the exercise of every faculty of man—his imagination, his intellect and his heart, his soul and his body. Of work, so understood, there can never be too much; for, in this sense, the secret of civilization, the key to progress, the primary law of God's universe, is work. My idea of the state of perfection towards which man ought to be tending and striving is that of a state where all should be workers and none should be drones; a state where every one in his sphere, and according to his ability, should be ever contributing to the consummation of the universal work for which man was created and made. Do not for a moment suppose then that I advocate indolence, or that I undervalue the nobleness of work. All I mean to say is, that there may be too much of merely mechanical work, of work devoted to the sole purpose of making money, and providing the body with creature comforts; that there may be too much wool growing, too much store keeping, too much wood cutting, too much digging, to the neglect and exclusion of pursuits which tend to cultivate the intellect and purify the heart. That Divine saying, "Man doth not live by bread alone, but by every word that proceedeth out of the mouth of God," is susceptible (if I may say so without presumption) of a far wider application than at first sight appears. What, I ask

you, are the glories of nature and the treasures of art, what are the gifts of genius and the wonders of science, but words proceeding out of the mouth of God—words to which we are bound to listen—words which it is our duty to interpret and to obey—words which it is a sin against God to disregard and to forget in the pursuit of "bread alone"? I know how invidious it is to hold such language to hard-working, hard-faring men. I know how easy it is for them to turn upon me if so disposed, and to reply, "It is all very well for you to talk, but how are working men to find time for such things?" The retort is plausible but unsound. I must repeat, that no man anywhere, least of all any man here, is justified in saying that he can afford no time for improving his mind and cultivating his taste. There are unlimited degrees, of course, in the amount of improvement and cultivation which men *can* find time for; but all men can afford some time: men in a new country can afford plenty of time for objects of the character I speak of. Depend upon it your happiness will be greater, your conscience lighter, your cares fewer, if you determine to spend some portion of your time and faculties and means in communing with the spiritual world; if you will occasionally forget for a while the present, and enter into relations with the past and the future; if you will recollect at times that what we see and hear and touch constitutes but a small part of the realities among which we live, and which shall endure when time shall be no more.

Knowing, I say, how adverse the prevailing current of tone and presentiment in a colonial community is to the view which I am advocating, I rejoice exceedingly whenever any incident occurs to interrupt the ordinary course of that current, and to force us as it were to keep a sabbath or a jubilee. For example, I appeal to those among you who were present the other day on the solemn occasion of laying the corner-stone of our first church, when there was a general suspension of business in our little town, and almost every one seemed more or less to keep a religious holiday. Did

you not feel that the time was well spent, and that it was good for you to be there? While you watched the performance of the Church's rites, while you listened to the words of her services, while you observed the earnest attention of the surrounding crowd, and thought of the holy work that was in hand, did you not feel for the moment carried away and elevated, as it were, beyond and above yourselves? Were you not transported in imagination to the scenes of your childhood and your home, with all the tender and sacred recollections attached to them? Did you not hear the chime of the bells? Did you not see the spire among the trees? Did you not wander through the green churchyards where those whom you have loved and lost are sleeping:? And as the illusion passed away, and the reality came back to you, could you fail to turn in thankfulness of soul to the God of your fathers, who had brought you from the ends of the earth to found a new branch of the ancient Church to His glory and honour here? I am sure the impression produced by such scenes is real, though it may be but too fleeting: I am sure it leaves, on many a heart, an elevating and sanctifying influence behind it. There is nothing of course in the enterprise in which we are just now engaged that is calculated to excite the imagination or to touch the heart, like the religious ceremony to which I have just referred; but it may so far be classed under the same category for the purposes of my argument, that the primary object of its promoters has been to interest the people by its means in subjects of a nature removed in some respects from the sphere of their ordinary business; such subjects as philosophy, history, politics, science, and art. Our object is to impart useful information, and to educate public opinion, on subjects of *general* interest; and we propose that this should be done by every legitimate and available method; by means of books, of lectures, and of discussions. We wish to lay the first stone of a great educational institution, which shall grow with our growth and strengthen with our strength; and we more

especially wish to base it on sound, comprehensive, and durable principles, because we feel that the founders of a new nation have a vast burden of responsibility laid upon them. In fact, they can do nothing of a public nature for themselves alone; nothing, therefore, of which it can be said that is of trifling importance. As the twig is bent, the tree will grow. Incalculable results lie hid in every step we take, and nations yet unborn may rue through ages the consequences of our errors and our sins. This thought should be perpetually present with us, not to daunt, but to encourage. As is the responsibility to be borne, so is the honour to be won. It is but at rare intervals in the world's history that so great opportunities are offered to such as we are. Let us show ourselves not unworthy of, not unequal to, our high vocation.

I have said that a society such as this meets the special requirements of a colonial community. It appears to me, besides, especially adapted to the circumstances of our present political position. You are all aware that we hope within a few months to enjoy the privilege of managing our own public affairs. Now, whatever effects the expected change may produce, of this at least there can be no doubt, that it will immensely increase our obligations and our responsibilities. Within a very short time almost every man here present will have to make up his mind at least on one most important point—namely, as to whom he would like to represent his opinions in the Legislature of his country. Now, to do this well, to do it decently, he ought to have some general ideas about the matters with which that representative will have to deal. Of course it is not to be expected that men living by manual labour should go very deeply into questions of government and legislation. Of course the choice of a popular constituency must be, to a great extent, a matter of personal confidence; but that confidence should be founded upon reason; those who give it should be able, in some measure, to comprehend and appreciate the arguments

addressed to them by contending candidates; and how can they do this unless they inquire a little beforehand into the questions on which their suffrages will be asked, and nearly all of which are necessarily new to them now? The approaching concession, then, of large political privileges to you who have hitherto had none, and your necessary ignorance of most of the circumstances connected with this new and strange country which you are to people and to govern, should lead you eagerly to seize every opportunity of acquiring knowledge and information.

Again: not only the wide extent to which political power will probably be diffused here (that is, the lowness of the qualification attached to the franchise), but yet more, the natural equality of conditions and of influence existing in this country, make the diffusion of knowledge among our people particularly necessary. In England the wealthy and educated classes are so numerous and powerful, and there are so many checks on rash and hasty legislation, that the baneful effects of popular ignorance on government are, comparatively speaking, little felt. Here the antidote is wanting. Of necessity the immigration to a distant colony of men who have had a political education, and of men commanding extensive influence by wealth, or position, or personal reputation, is proportionally small. There is necessarily, therefore, a tendency to make the power of mere numbers more felt, and other powers less felt, than in older countries. It may be doubted whether in old countries universal suffrage be not favourable to the interests of an oligarchy or a despotism. Recent events in France would seem to countenance such an expectation. But here it must mean real democracy, because no machinery exists for turning it to any other than democratical purposes. These peculiarities of our social condition, rendering it as they do morally certain that the masses (to use the modern phrase) will be the real depositaries of political power, surely constitute so many arguments for enabling the masses, by every possible means, to exercise that power with reason,

moderation, and forethought. You will probably think I have said more than enough about the necessity of popular instruction, a point upon which it is a good deal more usual to assent in words than to feel strongly or act consistently. It is time that I should speak somewhat more fully of the form and incidents of the society which we wish to establish for the purpose of promoting it. With this view it may be convenient, perhaps, that I should briefly recapitulate the circumstances which led to its formation.

Most of you know that it was determined some little time ago by the gentlemen composing the Society of Land Purchasers to dissolve that Society, and attempt to reconstitute it upon a new basis. It is not necessary for me to offer any opinion upon the wisdom and desirableness of this course; but I cannot refrain from taking this opportunity of publicly expressing my cordial and sincere thanks to the gentlemen I have referred to, for the constant and valuable assistance I received from their advice and co-operation in carrying on the business of this settlement. Whatever might be the extent to which the body called the Society of Land Purchasers represented the people of this settlement, or any particular class of the people, and whatever opinion may be formed as to the direct advantage which the people derived from its existence, there can be no doubt at least that it comprehended most of those who took an active interest in public affairs, or who had displayed capacity for dealing with them; and I need not say how valuable to me was the opportunity of consulting periodically twelve gentlemen, such as their Council consisted of, men of intelligence and information, coming from different parts of the settlement, and in the habit of meeting people of all avocations and of various opinions. However, for reasons satisfactory to themselves, and which have been ably explained by them at different times, they thought proper to dissolve their society, and to attempt its reconstruction on the footing of a popular body formed for the sole purpose of political discussion. The

moment I was made aware of this intention, I saw the great and obvious difficulties attending the formation of such a society as they contemplated. It is unnecessary that I should enlarge upon those difficulties: I will just specify one, which appears to me to be the master difficulty. It is this: that there seemed to the public no prospect of connecting the proposed discussions with any tangible and practical result. People would be sure to think (if I may use a vulgar phrase) that nothing would come of them. I don't mean to say that I agree with this view, because I think that even upon an irresponsible and despotic Government, like that under which we live, an expression of public opinion is never altogether without effect, and I am always glad to see opportunities afforded for calm and dispassionate discussion on public affairs, as a means of educating public opinion. Still, I see clearly that so indirect and doubtful a process for compassing political ends would never seem to the general public worth taking much trouble about, still less worth paying any money for. This, I must take leave to say, was, in my opinion, the chief source of weakness which affected the Society of Land Purchasers itself, and not, as its members seem to have supposed, their defective franchise. If they had had the power of decisively and imperatively influencing the policy of the Association, instead of depending for their influence entirely on the will and pleasure of the Association itself or its agent; in other words, if they had constituted a real and substantive power in the community, their limited franchise would never have prevented interest from being felt in their discussions; there would have been no cause to complain that their constituency fell off, or that their funds were deficient. Now, if this view be correct, the same source of weakness which affected the old society would also affect the new one. If land purchasers did not think worth it while to belong to the one, the people generally would not think it worth while to belong to the other. If the public took but a slight interest in the proceedings of the smaller, they would be equally

apathetic about those of the larger body, simply because they would anticipate as the result of such proceedings only barren and inoperative debates. I say that, foreseeing as I did, the obstacles to the formation of a mere political debating society which should embrace any large proportion of the people, and at the same time very reluctant as I was to abandon the undeniable advantages attending upon habitual discussion of public affairs, I heard with great pleasure a suggestion that the idea of the proposed institution should be enlarged; that it should propose to itself the promotion of public instruction on all subjects; and especially that it should combine with the advantages of political discussion the more general attractiveness of a literary and scientific institution. There appeared nothing more incompatible—on the contrary, there was a natural and obvious connection between the institution as originally projected and that finally adopted, inasmuch as a principal idea in both is the diffusion of knowledge and the education of opinion: in one it was proposed to accomplish this by discussion and debate alone; in the other by books, newspapers, and lectures also. To different classes of minds, different modes of communicating instruction may be suitable and profitable; but there seems no *à priori* reason why these different classes should keep apart from each other, no reason why a man who prefers books should refuse all connexion with the news-room, or why a votary of newspapers should abjure lectures and discussion, while there are many excellent reasons for their common action. Newspapers are very good in their way, and so are books; but there are many persons most anxious to learn whose cases they will not meet, because unfortunately those persons cannot read with sufficient facility to interest their attention continuously. Besides, books, and even newspapers, are not to be procured in this country with the same facility and cheapness as at home. An institution, therefore, proposing to diffuse knowledge by means of literature alone, is in danger of becoming exclusively made use of by the cultivated and opulent classes; the classes,

in short, whom it is least important to provide instruction for. Oral instruction, on the contrary—that is, instruction by means of speeches—a method which has been employed with great success in all ages and countries, appears particularly well suited to the circumstances of a community like ours, where few have much leisure, few possess advanced education, and, above all, where literary productions are rarely and with difficulty procured.

I dwell on this topic because I understand that at Christchurch the attempt to form an Association for these purposes, which should embrace all classes of the population, and be truly entitled thereby to the name of "The Colonist's Society," has to a certain extent failed—that is, that two societies are to be founded to perform the functions which we propose to perform with one. It would be impertinent in me to pronounce with whom the blame of this failure rests, or whether in truth blame attaches to any one. But I may be permitted, without presumption, to say that I regret it, not merely because in a small and poor community like this, unnecessary multiplication and separation of associated bodies involve a waste of funds, of machinery, and of individuals' time; but, still more, because under existing circumstances they cannot fail to produce ill-feeling and mutual repulsion. Unless the scopes and objects of the two societies be kept perfectly distinct and apart (which I hardly think possible in the present case), they will start decidedly in opposition to each other, and perhaps lay a foundation for lasting antagonism and animosity. Especially is this to be feared if anything like a class feeling be mixed up in the matter; that is, if there be a likelihood that the two bodies will be recruited chiefly from different classes of society. It appears to me that institutions like these form a particularly good common ground on which the whole community may meet. We all want instruction of some kind; if a man learns nothing else by joining them, he learns at least to know the feelings and opinions of the community in which he lives, and

he learns his proper place in that community. For my own part I am no great admirer of, no great believer in, the modern doctrines of equality. I am very much disposed to think that the most natural and wholesome state of society is that in which a marked distinction of ranks and outward conditions corresponds with the inevitable differences in education, character, and vocation, or work. But I should be blind indeed, if I did not see that no such external inequalities can be long maintained, even if they were worth maintaining, in these days, which are not supported by real personal superiority, asserted by a manly and generous rivalry in the fair field of the world's conflicts. On the other hand I am bound to remind you that the working classes have also a duty to perform in respect of this matter. If the experiment of amalgamating all classes of our population in one educational society is to succeed, it must be through the practice of decorum, and self-restraint, and propriety of conduct on the part of all. As we have started on the principle of "no property qualification," it is the more incumbent on us to preserve and enforce a *moral* qualification. I am sure you will not misunderstand me, or suppose that because I speak thus, I have any serious apprehension that my warning is needed; but it is my duty to give it nevertheless.

I will now consider the main objection which has been made to our proceedings, on the ground that we combine what are said to be incompatible objects—the objects of a Mechanics' Institute and those of a political society. I am not quite sure whether the objection is generally made to the admission of politics at all, or only to the treatment of politics in the way of debate and discussion. But I will assume the former to be the case, and that the admixture of politics at all, in any way, with the literary department of the institution is objected to. If so, I think I have a right to say that the burden of proof is on those who hold this view. I think they are bound to show, on very conclusive grounds, why they would attempt to exclude from a society instituted

professedly for the purpose of promoting popular instruction on subjects of general interest, one subject, and that the subject (next to religion) most generally interesting. But the fact is, they cannot, nor do they in fact intend, to exclude politics. Suppose we call ourselves a purely literary society. Well, I never heard of a literary society which excluded from its library books, or from its news-rooms journals that treated of politics. The very notion is absurd. What is really meant then comes to this—that a literary institution should promote and encourage the study of politics, so far as regards reading and thinking, but that it should prohibit *speaking* about them. But suppose we try to draw this somewhat arbitrary line, we are met by another difficulty. What are politics? How will you define, for the purpose of excluding them? The term politics, if you come to consider it accurately, is only another word for "subjects of general interest," because all such subjects necessarily become, at some time or other, matters for political treatment, and are comprehended therefore in political science. It would be literally impossible, therefore, to speak on any subject with which the politician has no concern, and which therefore can *properly* be said to have no connexion with politics. It may be said that this reasoning is too fine-drawn, and that though it be impossible in theory to distinguish political from literary and scientific subjects, yet in practice the distinction is felt and acted upon. I do not think so—attempts are constantly made to do so, but I deny that they are successful. The distinction is not real or practical, and you cannot carry it out. In many countries the fine arts constitute an important political department, and statesmen differ and quarrel about them far more than about war and peace, democracy and despotism. In our own country questions of exact science, such as the broad and narrow guage, the application of electricity to communications, and many others which will easily suggest themselves to you, have often formed subjects of deliberation and decision for British statesmen and law-

givers, and have thereby become political. Of course the case is doubly strong as respects history, theology, and other subjects of that nature. How could I lecture upon the history of New Zealand without giving you politics in every line? How is Mr. Paul to lecture on the Reformation of the sixteenth century without being political? I believe the *idea* of the Athenæum in Wellington is that politics are not to be introduced. Well, it so happens that in the last Wellington paper I took up I saw a notice to the effect that a gentleman was going to lecture on "Hungary and the Hungarians." If he can manage to do that without touching on politics, I will only say he will show a very remarkable genius for metaphysical analysis. So is it always; every society of a like nature professing to exclude politics is ever doubting and disputing in the attempt to decide what ought and what ought not to be excluded under that name; in other words, in the attempt to realize a distinction which does not exist. It is true that different "subjects of general interest" may be treated more or less politically—that is, with more or less reference to legislative or governmental action upon them, and that some subjects are more likely to be so treated than others; but you will always find that the difference is in degree, not in kind, and that it is impossible to lay down, or at least to observe a definite rule on the point which would possess any practical value. I have already expressed my opinion that if any such rule could be established, and if it were effectual, its result would be to exclude from your consideration precisely the topics on which it is desirable that you should be informed, and I will not enlarge further on that point.

I have only left myself time to touch briefly on what I suppose to be the chief motive for desiring to exclude politics—a fear, namely, lest the introduction might lead to quarreling. Now, that it *may* lead to quarreling it would be absurd to deny, because political questions are, as I have said, precisely questions of general interest treated with a

view to action, because on such questions men will feel strongly, because when they feel strongly they are apt to speak warmly, and because warmth of expression too often degenerates into violence and rancour. But an argument founded upon this would go to prove that all subjects in which men are deeply interested should be prohibited. Men quarrel about questions of literature and taste, as well as about questions of government and legislation. One of the most violent quarrels I ever read of was between two learned critics, Dr. Bentley and Mr. Boyle, about the genuineness of an old Greek manuscript. The Byzantine empire was convulsed by factions, who traced the origin of their disputes to their respective preferences of blue and green as distinguishing colours in a chariot race. If we in Lyttelton quarrel (which I sincerely hope may never be the case), I think it is more likely to be about such purely scientific questions as the best line of communication between the port and the plains, or the best site for a cemetery, or such a purely literary question as to whether the word "steersman" [a] be applicable to a youth under age, than about matters commonly called political. Jesting apart, the only sure way to avoid quarrelling is to discuss questions which we don't care a farthing about; and then, instead of getting angry, we shall go to sleep. But we are not so fastidious; we are not so timid; we are not so distrustful of our own good sense and good temper as all that. Differences of opinion, of course, we must expect; perhaps we may occasionally have to hear a few hard words, and to see now and then things done that we may dislike; these are the common and inevitable incidents of mixed assemblies and free discussions; but I entertain a confident hope that we may never see anything deserving the name of a quarrel; still less that our meetings will ever be disgraced by violence of conduct or language. I consider that your own good taste and sense of propriety, the respect inspired by a place which

[a] There had been a great dispute a few days previously in a boat race at Lyttelton as to whether a small boy could be included in the word "steersman."

is used for the education of youth, the presence of your wives, and sisters, and daughters—finally, that the authority of the individual whom you may select as your chairman, backed as he will be by the great majority at least of the members, constitute complete and sufficient guarantees that nobody will say or do anything in this room unworthy of a good citizen and a good Christian; or, at least, if he do so, that he will be at once and summarily put down.

Mr. Godley then proceeded to state in detail the arrangements that had been made for bringing the society into operation, the opening of the library, the newspapers that had been ordered, the numbers enrolled, &c. He concludod by reminding the meeting of the great opportunities of public education, both for themselves and their children, which were enjoyed by the people of this settlement compared to other infant colonies, and he earnestly invited them to avail themselves of those opportunities. He said that he trusted to see the time when it would be considered disgraceful in New Zealand to be without the rudiments at least of a good education; and that, for himself, if he could look back in after life to having contributed in the smallest degree towards so great and noble an object, he would, on that account alone, dwell with thankfulness and satisfaction on his residence at Canterbury.

SPEECH ON DECLINING THE SUPERINTENDENCY.

The New Zealand Constitution Act was passed by the Imperial Parliament in 1852, and was brought into operation at the close of the year.

On Wednesday, November 10, a deputation consisting of the Rev. O. Mathias, Captain Simeon, Messrs. Watts Russell, FitzGerald, J. T. Cookson, Hamilton, Wakefield, Spowers, Birch, Draper, Prichard, Porter, and the Hon. J. S. Wortley, waited upon Mr. Godley, to present him with a requisition to allow himself to be put in nomination as Superintendent of this Province. The requisition was, with scarce an exception, signed by every individual in the settlement who had access to it. Mr. Godley replied as follows:—

GENTLEMEN,

It would be most unbecoming and most ungrateful in me to answer such an address as the one before me, presented in such a manner, and under such circumstances, in the language of ordinary compliment. The relations between you and myself are, I hope and believe, of such a nature as to justify me in talking over the matter familiarly, as with intimate friends. I have lived among the people of this settlement now for two years in habits of constant and unreserved intercourse. I am acquainted with everybody, and everybody is acquainted with me; they have had the most ample opportunities of knowing my character, public and private, as well as my views on almost every matter of public interest connected with the colony. When, therefore, having such knowledge of me, they come forward literally as one man, and press me with an affectionate earnestness which evidently comes from the heart, to remain among them, and to accept the highest civil appointment in their power to bestow, I might be pardoned if such a proposal excited in my mind pride and satisfaction of no ordinary kind. Yet, in truth, the feelings uppermost in my mind just now are not those of pride and satisfaction; they are much rather grief at being compelled to decline your offer, and a half remorseful doubt as to whether I am right in declining it. This subject has

engaged my most anxious and painful consideration for some time, and I feel it due to you, with the view of showing you that I have not arrived lightly or capriciously at a determination inconsistent with your wishes, to explain, at the risk of appearing egotistical, my position and intentions with respect to it. I left England in 1849, intending to remain away two years at the utmost, and making all my private arrangements with that view. Well, I have now been absent from England for three years, and am just entering on a fourth. This prolonged absence is extremely inconvenient to me as regards my private affairs, and is the subject of repeated and urgent remonstrance on the part of my family and friends. It would be quite different, of course, if I had deliberately determined to become a New Zealand colonist, and had made all my arrangements and preparations accordingly; but I have never as yet entertained any such deliberate intention. It is very possible, nay probable, that I may be compelled by the state of my health to return here, after trying the experiment of living in England; but I have always intended to live there if I can. And if I am to live in England, it is really time that my return should not be much longer delayed. A man cannot have two countries—at least he will not give himself fair play in the performance of his duties in either if he has. Every year, every month that I spend here, makes a fresh gap in my home sympathies and home interests, while from the precarious and temporary nature of my position, I am unable to take root and feel settled here. I have now performed to the best of my ability one definite task, that of managing the colonial affairs of the Canterbury Association. By the last mail the committee have informed me that they have no further occasion for my services, and the routine duties which must be performed until their successors are appointed do not in any way require my presence. There comes, therefore, a sort of turning-point or epoch, when I may, I think, legitimately and properly fulfil my intention of returning home. If I stay, I must commence an entirely new career,

that of a New Zealand politician, and holder of Government office; and this, I confess, I am not prepared to do. I do not see so distinct and positive a call of duty as to demand of me that I should radically alter, indeed abandon my whole plan of life; for if I took the Superintendency, and determined to stay four years and a half longer here, I might as well, and in fact would give up all idea of England, and lay myself out regularly to make New Zealand my home. I know it has been pressed upon me from every quarter, with a friendly importunity which I can never forget, that I might allow myself to be elected Superintendent, and hold office for a few months, just to set the machine going. But I think the friends who make this suggestion will see on reflection that such a course would not be advisable, hardly even proper, or consistent with due respect for my successor or the office. The period assigned by law to the Superintendent's tenure of office is quite short enough for maturing and carrying out anything deserving the name of a policy. To shorten it still further by subdivision, to make one man initiate plans and appoint officers, while another immediately afterwards would have the sole responsibility of carrying out the plans and working with the men, would not be fair either to the former or the latter, and would, I am sure, be very detrimental to the public service. It seems, too, natural and appropriate that with the introduction of institutions of self-government, the direction of public affairs should pass into the hands of *bonâ fide* colonists, men who are thoroughly identified with the settlement in prospects and interests, and who do not look forward to leaving it more or less immediately for England. I had hoped until lately that I might be present at the first session of the Provincial Council, and assist at the transfer of the waste lands to that body. But, in the first place, I now find that there is no chance of the session taking place within such a period as would allow me to be present at it, and also to go to England next year, for it would be very imprudent in me to meet an English climate first in winter.

And, besides, the intelligence lately received has made it clear to me that the waste lands will not be transferred by the Association to the Provincial Council at all. On the whole then, gentlemen, I have come to the determination of declining your offer, and persevering in my original intention of leaving the colony at the close of this year. Permit me once more to tender my most sincere and grateful thanks to you, and those who have deputed you, and to express a hope that you will not think the worse of me for what I have said to-day.

LECTURE ON THE NEW ZEALAND CONSTITUTION ACT.

The following lecture on the provisions of the Constitution Act was delivered to the Colonists' Society at Lyttelton on the 1st December, 1852:—

The most convenient introduction to a lecture on the Constitutional Law lately enacted for New Zealand will be, I think, a very brief and general summary of the Constitution it is intended to displace—that is, under which we now live.

That Constitution is founded on an Act of Parliament, passed in 1840, by which her Majesty was authorized to erect New Zealand into an independent colony, and to constitute a form of Government for it by Letters Patent. In pursuance of this Act, Letters Patent were issued, commonly called the New Zealand Charter of 1840, by which New Zealand was made a separate colony; the executive power was entrusted to a Governor and Executive Council, and the legislative power to a Governor and Legislative Council. The Executive Council was to consist of the Colonial Secretary, Colonial Treasurer, and Attorney-General; the Legislative Council to consist of the same officers, with the addition of the three Justices of the Peace, whose names should be standing first in order in the commission of the peace, such commission being liable to be revoked and renewed at the pleasure of the Governor.

Elaborate instructions accompanied the Charter, limiting in a great many particulars the Governor's discretion in the exercise of the legislative powers vested in him by the Charter, and limiting still further the powers of the Legislative Council, as contra-distinguished from the Governor. The instructions provided that no Ordinance should be enacted unless previously proposed by the Governor, and they enumerated a long catalogue of forbidden subjects on which the Governor was prohibited from proposing or assenting to

legislation. The instructions further provided that all Ordinances should be sent home for allowance or disallowance, and unless in some specially excepted cases, that they should not take effect until her Majesty's pleasure should be known upon them.

It seems at first sight difficult to imagine why so elaborate and complicated a method for giving effect to the wishes of the Colonial Minister for the time being was devised, and what use to any body there could be in a Council selected entirely by the Governor, discussing only measures proposed by the Governor, and incapable of bringing any laws into operation until sent home to be approved or disapproved there. The only shadow or pretence of power which it had was negative—the power, that is, of refusing to pass the Governor's laws, and I leave you to imagine how much chance there was of *that* ever happening, when three out of the seven members were the Governor's own paid servants, and the other three nominated by him, and holding their seats at his pleasure, while he himself was to possess a casting vote in addition to his original one.

I can understand, nay, I can appreciate the advantages of a pure monarchy. For dependencies inhabited (as our penal colonies were at first) only by convicts and soldiers, or (as our Indian empire still is) by people incapable of working representative institutions, a local despotism is probably the best form of Government. Indeed, I have always considered the particular *form* of a Colonial Government as (although of course very important) still secondary in importance when compared with its *localization*. I am tempted to go the length of saying that the best possible men, governing a distant colony from England, would do more unwise and mischievous things than the worst possible men, living in the colony, and supported by no influence external to the colony. It is not then at present the power of the Governor which I am animadverting upon as pernicious. It is the absurd and anomalous mechanism by which, on the one hand, his com-

plete subordination to the English Secretary of State is provided for; and, on the other hand, his sense of responsibility is blunted, by permitting him to use the screen of a sham Legislature, nominally colonial and independent, but in fact incapable of offering the slightest barrier to his will.

The Act and Charter above referred to were repealed and abrogated in 1846, but revived in 1848, with an additional provision for increasing the number of Nominee Councillors, and for enabling the Governor and Council to constitute Provincial Councils. That Act and Charter, therefore, are the instrument of Government under which you now live, for it is not worth while to describe in detail the provisions of an Ordinance establishing Provincial Councils, which Sir George Grey passed in 1848; the Constitution framed by it possessed no vitality, and practically expired after one feeble session. Still less need I discuss the second and still more futile measure carried by the Governor last year with a similar object. This latter measure, as you all know, never came into operation at all, and has just been comfortably buried out of our sight.

What I have said may suffice to introduce a consideration of the Constitutional Law which has just been enacted for New Zealand.

It is not my intention to take up your time with an enumeration and a detailed criticism of every clause and every provision in the Constitution Act. I will assume that you have made yourselves acquainted with the substance of it already, and that what you wish to hear is rather a comment upon its general spirit, illustrated by occasional reference to particular clauses—an exposition, if I may use the phrase, of the philosophy of the measure, than any attempt at a complete and exhaustive analysis. With this view of my subject, I propose to divide my observations on it into three heads, viz., those which apply to—1, the relations which will subsist, under this Constitution, between the colony and the mother country; 2, the relations between the Central and

the Provincial Governments; and, 3, the form and functions of the various departments of Government in the colony, together with such remarks as I make think necessary to make on the minor features of the Act.

Notwithstanding the concessions made in this Act to the improved state of public opinion in reference to colonial affairs, notwithstanding the practical advance in a right direction which it exhibits, there is still much in it of what may be called the old leaven. The concessions seem to have been rather extorted one by one from necessity, and by importunity, than dictated by an enlarged comprehension of true doctrine. I see no consistency in the construction of the scheme, no leading principle upon which some things are given, and some withheld. If the modern theory of Colonial Government, that, namely, which has been acted upon for the last eighty years, be right, we have got too much power; on the other hand, if the old theory, upon which the colonies of Rhode Island and Maryland were founded, be right, we ought to have a great deal more. I will explain what I mean: the essence of the former or modern theory is an idea that the Crown (which is the formula for expressing the Imperial authority whatever that may be) has in each colony an interest, not only distinct from, but opposed to the interest of the inhabitants of the colony. This notion pervades, colours, and shapes the whole modern policy of Great Britain towards her colonies. Those who hold it consider, of course, that their first duty, as loyal servants of the Crown, is to take care that whatever may be done for, or granted to colonists, shall be consistent with the retention, in its plenitude, of the "authority of the Crown." This is the phrase that occurs everywhere: in despatches, instructions, debates, charters, and laws. If we attempt to show that such and such a provision—say the power of disallowance of colonial laws within two years—is a practical grievance, we are met, not by an argument to show that there are practical advantages in the provision, but by the same axiomatic phrase—"the power of the Crown

must not be diminished." Sometimes, no doubt, it may be incidentally maintained by some reasoner more than usually bold, that it is for the advantage of the colonists alone, or chiefly, that the power of over-ruling their wishes is reserved to the Crown; a few will also contend bravely, and without going into detailed proof, that England reaps material advantages from interference with the local affairs of colonies; but these are only the exceptions; the larger number of the advocates of Downing-street seem to rest their case upon the *à priori* notion of the prerogative. "They will not surrender the prerogatives of the Crown." Even in the very latest discussion of colonial affairs of which we have intelligence, Lord Grey, according to the newspaper report, refuses to consent to the demands of the Legislature of New South Wales for local self-government, because they are in his opinion "irreconcileable with monarchial institutions;" and Lord Derby expresses his adhesion to that sentiment by an emphatic cheer. But I need not multiply examples; they will easily occur to every one of you.

The practical operation of this doctrine is the establishment in all modern colonies of a system which is the converse of what we call local self-government. A system, of which the main principle is that an unlimited power of interference with and control over every matter and every person connected with the making of colonial laws, and administering colonial government, should be reserved to the Secretary of State for the Colonies. Of course, this unlimited power will be exercised more or less frequently and offensively by different Ministers; but the Downing-street theory requires that they should all possess it, and be restricted in its exercise solely by their own prudence and sense of right. The system, as hitherto worked, is consistent and complete. A Governor is appointed by the Colonial Minister in the name of the Crown, and holds his office at that Minister's pleasure. It is expressly provided that he shall be subject to instructions from the Minister. His tenure of office is, speaking generally, not

long enough for him to acquire any permanent or deep-rooted interest in the country which he governs. It is to him what a military station is to the colonel of a marching regiment. When the Governor of New Zealand gets the route for the Mauritius or the Cape, New Zealand is to him what Gibraltar or Malta were to the battalion that was quartered there last year. His hopes and fears hang not upon you at all—not upon your likings or dislikings, your weal or woe—but upon those whom the system assumes to be "the opposite party," namely, the Minister of the Crown. Through the medium of this officer, bound as he is by duty and interest to implicit obedience, the Colonial Minister has his foot, as I may say, upon the colonies: he can do exactly as he likes with them. The Governor, subject to instructions, appoints to all executive offices—is, in fact, the sole executive authority. He generally nominates either the whole or part of the Legislature, and exercises, more or less, direct control over their initiative legislation. He always exercises an unlimited veto on all their bills. But the indirect control thus reserved to the Colonial Minister over local legislation is not enough. Lest the Governor should inadvertently assent to a Bill which the Minister might consider objectionable, an unlimited power of disallowance by the Minister himself, always in the name of the Crown, is invariably provided; moreover, as the Colonial Legislatures have nominally the power of voting and appropriating supplies, it is thought necessary, in order that the Imperial officers should be completely independent, to provide what are called Civil Lists, or Schedules, that is, to reserve from the control of the Legislatures a certain, generally a very large proportion, of the colonial revenues, and to pay out of it the salaries of the Governor himself, and as many of the public servants as he may think fit. Thus England no longer taxes the Colonies; she only allows them to tax themselves, and then "appropriates" the proceeds. But besides all these legal powers, the Governor has another power which I will not call illegal, but which is

indefinitely capable of being illegally used—I mean the power of ordering the Treasurer to issue public money, *not necessarily according to the law by which they are appropriated, but as he pleases.* This power was admittedly used in a manner directly contrary to law in 1850-1, and I presume it will be again used illegally after the present year, as the Legislature has, I believe, only appropriated the revenue up to that time. Now I can see no practical way of controlling this power; the Treasurer is responsible to the Governor, but the Governor is practically not responsible at all. If he can make sure of being "backed" at home, I can see nothing to prevent him, upon any case of asserted necessity, from appropriating as he pleases, by means of this power, the whole revenue of the colony.

On the whole, it is evident that theoretically, as well as practically, the authority of the Secretary of State (acting in the name of the Crown) over modern British colonies is uncontrolled and complete. Against his will, if he chooses to enforce it, the colonists can do absolutely nothing—cannot make a railroad, pass a vagrant act, nor dismiss a constable. It is vain to say that he does not, and will not, interfere vexatiously and oppressively; the most abject servitude is always mitigated, more or less, by the prudence or humanity or indolence of the masters. If he please he can do it universally; as a matter of fact, he does it often enough to constitute an intolerable grievance. But it is not after all his personal interference that constitutes the worst part of the system: the worst part is, that his authority, supreme and paramount, gives to his legal delegate powers of practical despotism, such as no *merely* local despot could safely exercise for any length of time. Upon a colonial Governor, speaking generally, the colonists have no hold at all. Their public opinion is nothing to him; their physical force he laughs at; his eyes are always turned to England. If he can make things smooth and pleasant there, he can afford to treat with supreme contempt the remonstrances of the community

which he rules. Colonial Governors constitute perhaps the only class of rulers in the world who have none of the more ordinary, or if you please vulgar motives for consulting the welfare of their subjects: such motives, I mean, as hope, fear, patriotism, or personal sympathy. Of course you will now and then find men who are independent of and superior to ordinary motives, and who will do their duty solely because it is their duty. But most Governors are ordinary men, and require the stimulus of ordinary motives. The chances are, therefore, that the system which I have described will produce, if only on this account, as bad government as it is possible to conceive.

This exposition of the principle which runs through and supports the central system of Colonial Government is not irrelevant. I want to show you how this principle works in an inconsistent, that is, a partial and diluted manner throughout the whole of our new Constitution. The framers of it did not recognize, perhaps did not comprehend the radical viciousness of the Constitution which they found existing; they have dealt, therefore, only with what appeared to them its practical grievances.

It is impossible not to see that the same paramount and controlling power which was reserved to the Crown by the former Constitution is also reserved by this. The Governor, subject as usual to instructions from home, appoints to executive offices, possesses the power of unlimited veto, authorizes the issue of moneys, has his civil list reserved—in short, is both theoretically and practically independent of the colonists, while both theoretically and practically he exercises an immense power in the management of their affairs. Besides this, the power of disallowance by the Crown at its pleasure, that is, at the pleasure of the Minister, is preserved.

It is true that there are two checks upon this power of the Minister and of his officer; one is the power granted within certain limits to the representatives of the people over the

public purse; the other is perhaps hardly less important, it is the power granted to the people of authoritatively expressing their opinions and wishes through their chosen representatives. These are important and valuable checks; still it must not be forgotten that almost all their efficacy depends either on the character of the Colonial Minister, or (more frequently) on the state of public opinion at home. In fact, you all feel that your best safeguard against future oppression will still be the watchful energy of those friends to whom you owe the present measure. The letter of your law will not protect you. Your physical force is nugatory. The most you can say is that you have in your hands the means of impeding the action of a hostile Government, and of unequivocally speaking your sentiments with respect to it. But this is not nearly enough. If you impede the action of Government, you will yourselves, in the first instance at least, suffer a great deal more than your rulers. By speaking your sentiments, you will exercise only an influence of which the extent must depend on circumstances over which you have no control. This state of things must not continue. Your liberties must not be left dependent on the varying chances of personal character or popular opinion. You must claim a charter for your rights; a regular, legal, permanent security, such as no one can infringe upon without convicting himself in the face of the world of illegality as well as oppression, violence as well as tyranny. For this purpose your representatives ought in my opinion to demand that a line may be drawn between matters of imperial and matters of local concernment, and that the uncontrolled and exclusive management of the latter may be left to yourselves.

It will be their business to maintain and to prove that the fundamental principle of the modern theory of Colonial Government is erroneous, inasmuch as the Crown has and can have no interest distinct from, still less opposed to that of the people of the colony, with but one exception: that is except in connection with their relations towards foreign powers.

Interested of course the Queen and Parliament of England must be in everything that affects the general prosperity, and therefore the good local government of the colonies; but the point to insist upon is that they are less directly, less deeply interested than the colonists themselves, and that they are from physical circumstances, generally speaking, incapable of undertaking colonial affairs and dealing with them to advantage. Therefore the interest, such as it is, of England in the local government of her colonies is best consulted by leaving it altogether to those who are *more* interested in and better acquainted with the subject. It is really childish to go on repeating the formular phrase "monarchical institutions," and making the Queen as it were the scapegoat of her Ministers' sins and follies. That colonists should make laws for regulating their own affairs, and choose officers for administering them, without the assent or interference of the Crown, involves no more an undue encroachment on the prerogative than that the corporation of London, or the University of Oxford, or the East India Company should do so. If we look to precedents of constitutional law, we find that in the reigns of Charles I. and Charles II., when doctrines of prerogative were at the highest, rights such as we now claim were freely granted to the North American colonies. Maryland, Connecticut, and Rhode Island possessed complete legislative and executive power by charter, subject only to the vague and inoperative condition that they should make no law "repugnant to the laws of England;" and it is certainly strange to hear Lord Grey and Lord Derby in 1852 denouncing as anti-monarchical, doctrines which Wentworth and Hyde did not hesitate to apply in 1634 and 1662. The charter granted by Charles to Connecticut ordained that the Assembly should consist of a governor, deputy governor, twelve assistants, and two deputies from every town, to be chosen by the freemen. The Assembly had authority to appoint judicatories, elect officers, make freemen, establish laws, "not repugnant," &c., "according to the course of other

corporations within this our kingdom," to assemble the inhabitants in martial array and to exercise martial law. In short, the powers of local self-government thus granted were complete and unlimited. The charter granted by the same Sovereign to Rhode Island was almost identical in its terms. It still forms the constitutional law of the State. The charter of Maryland gave equally full powers to the people, subject to the rights of the proprietary and his heirs, the proprietary standing in the position of an hereditary Governor. Such was the view taken by the Stuart kings of the respective rights of colonies and of the Crown.

If, on the other hand, discarding empty names, we look to the reality of things, what becomes of the flimsy talk about the supremacy of the Crown? We all know—those know best in whose mouth the phrase is most frequently found—that the Crown means the Colonial Minister of the day, uncontrolled and unchecked, except in some extreme and rare cases, by the influence of public opinion, acting through the House of Commons. The question is not between the Crown and the people—not at all. It is between the Imperial Government and the Local Government; between the mother country and the colony. Until the Crown's power of vetoing colonial Acts and appointing to colonial offices be given up, the colonies cannot be said to possess rights of local self-government. Politically speaking, they are either practically enslaved, or at best only free by sufferance.

The next point connected with the relations between the mother country and the colony to which I will draw your attention, is the reserved schedule or civil list. By the Act, £16,000 a-year is reserved from the power of the Assembly, and appropriated in a manner partly fixed by the Act itself, and partly to be fixed by the Governor, under instructions from home. This civil list is not a large one it is true; it is a much smaller one than colonies are generally saddled with, but it is nevertheless an important grievance, both theoretically as a badge of political servitude, and practically as

weakening almost the only instrument of control over the Government which we are to possess. It is occasionally maintained that because in England a civil list, that is, a number of salaries attached to certain public offices, is voted by Parliament at the commencement of every reign, and remains unchanged till the end of it, therefore there ought to be an analagous fixed appropriation in the colonies. Those who talk thus forget, firstly, that the English civil list is voted by the representatives of the people of England, not by those of another people; and, secondly, that the holders of offices comprised in it are appointed and dismissed practically by the advice of Ministers responsible to the people of England. No comparison, therefore, can possibly be drawn between that case and the one which we are considering. I am, as much as any man, in favour of making public offices as far as possible independent of an annual vote of a Colonial Assembly; but I entirely repudiate the doctrine that *the British Parliament* should fix their salaries, and until the people of New Zealand have some other more direct and legitimate mode of making their public servants responsible, I shall object to any tampering with the means of control which is afforded by a command of the public purse. I cannot see the slightest real difference between the grievance of an imposed civil list and the grievance for the removal of which the Americans rebelled. It is just the same under another name—taxation without representation.

The last point connected with this part of my subject which I shall mention refers to the position and functions of the Governor. There are three distinct views which may be taken of the Governor's office. It is necessary that we should make up our minds which to prefer.

One view is that which has been of late years universally applied throughout the British Empire; according to it the Governor appointed by and responsible to the Imperial Government, is altogether independent of the colonists, yet always takes an important part in administering their affairs,

and generally governs them as absolute ruler. Another view is that which was recognized in the charters of Pennsylvania, Maryland, Connecticut, Rhode Island, and several other of the old colonies. It contemplated the Governor primarily, if not exclusively, in the light of a *local* officer. He was not, so far as I can make out, the organ or the representative of the Crown at all, held no commission from it, and was not subject to its instructions. In some cases he was chosen by the colonists; in others (as in the proprietary Governments), his office was hereditary. In all the cases to which I am alluding, his functions were essentially municipal, and his position completely independent of the mother country. The third view is one which has never yet been brought into complete or consistent operation, but to which there has been for some years a tendency, more or less marked, to approximate in the more powerful colonies of Great Britain. According to this view the Governor would be primarily an Imperial officer, holding his commission from the Crown, subject to its instructions, and representing its interests. With respect to the colonists, he would stand somewhat in the position now held by the Sovereign of Great Britain towards his subjects; that is, he would administer their affairs entirely through the instrumentality of advisers responsible to the representatives of the people, and possessing their confidence. Among these different theories of the Colonial Governor's office it will be necessary for you to choose when you demand, as of course you will demand, a reform of your Constitution.

Of the first, which contemplates the Governor as an Imperial officer practically governing the colonists, it is not necessary that I should speak further, most of the observations which I have already addressed to you, being directed to show that it is irremediably pernicious and bad. The second, which contemplates the Governor as a colonial officer only, has the advantage of having been carried into eminently successful operation, both in the old colonies to which I have

referred in describing it, and in the United States of America, where the State Governors are chosen by the people of the States, and have no special relation, still less are subordinate or responsible to the President of the Central Government of the Union. It has, morever, the advantages of simplicity, intelligibility, and if I may so speak, reality; names correspond to things under it; the Governor actually governs; he has no divided duties, no doubtful responsibility; he is chosen by the people, paid by the people, responsible to the people. Where it prevails, the form of the local Government is republican, like that of all our chartered corporations. In the eyes of foreign nations the colony or state has no independent existence; it is merged in the Imperial unity, by allegiance, by citizenship, by offensive and defensive alliance; but with its internal affairs there is neither theoretical nor practical interference. In each colony so constituted and organized there might, perhaps, reside a representative of the Imperial power, who might be called Royal Commissioner, Lieutenant, or whatever else you please; but his functions would be absolutely restricted to those matters which the constitutional law would, on the hypothesis, have excluded from the jurisdiction of the Local Government as matters of Imperial concernment; with merely local affairs he would have no more to do than if he lived in a foreign country. To a plan embodying something like such a complete division of powers as this I am myself inclined as a theorist. I think on the whole it would consist best with the circumstances and the feelings of British colonists. But I doubt whether now, or for some time to come, we can hope to see public opinion in England sufficiently advanced to assent to such a plan. It is strange, but true, that though it would have seemed natural and proper in the seventeenth century under the Stuarts, it would startle people very much now under what is in fact a Parliamentary Government. I hardly know whether even in the colonies the balance of the best and most intelligent opinion would be in its favour. I am disposed to

think, therefore, that as practical men, striving for what we can get, it will be more desirable that we should endeavour to obtain the realization of the last of the views enumerated above—that, namely, of Government by responsible Ministers.

It is superfluous to remind you that the Government of England is administered upon the principle of the responsibility of the Ministers of the Crown to the representatives of the people. The Sovereign, or Chief Governor, reigns by hereditary right, and is therefore independent and irresponsible; but the Ministers, through whom he is obliged to act, are not only responsible *de jure*, but are also *de facto* dependent on Parliament for the means of carrying on the Government. Indirectly, therefore, the people of England exercise a complete control over the Executive, or at least a control sufficient for all practical purposes, and excluding the possibility of direct collision. This system, which is not the result of deliberate contrivance, but which has grown as it were imperceptibly out of the conflicts and struggles of British political parties, has been to a certain extent adopted in the North American colonies which still own allegiance to Great Britain; in Canada, in Nova Scotia, and I believe (though I am not sure) in New Brunswick and Newfoundland. In these colonies the executive officers are chosen by the Governor, but they are chosen from among men who possess the confidence of the Legislative Assembly, and from those only. A decisive defeat in the House on what is considered a question of confidence is fatal to the existence of the defeated Ministry, and results in the elevation of their victorious opponents. Now this system, which works very well in England, presents undoubtedly many difficulties when we attempt to apply it to her dependencies. In the first place, it is a question whether Colonial Governors, who are, be it remembered, not only Governors, but also responsible and subordinate officers of the Imperial Government, can be trusted to carry on the administration of the colony perma-

nently upon a system which is not fixed, as in England, by unalterable necessity. If they or the Colonial Minister, whose delegates and servants they are, choose to exercise their legal powers in an "unconstitutional" manner, it might be very difficult for us to prevent them. In the case of a powerful country like Canada, within ten days' sail of England, and bordering upon the United States, there may be a virtual security that responsible Government being once established will not be interfered with; but I confess I should not feel the same confidence with respect to the position of a feeble and distant colony like New Zealand nominally administered upon the same law. Observe that the Governor, as I said before, is upon this view something else besides Governor. As an officer and representative of the Crown, it would be absurd to be dependent upon you, either with respect to his functions or his salary. He must therefore either draw his pay from England, or have it imposed by England as a charge on the colonial revenue; so that in the exercise of the plenary executive power bestowed on him by his commission, he will not be at all fettered by personal considerations. And of course it must be so unless the whole system were altered, and he ceased to be the representative of the Imperial authority. If the reserved schedule were withdrawn, and you acquired thereby the right of stopping the supplies, it would be necessary for the Crown to secure the position of its officer in some other way. But being thus secure, with such an amount of theoretical authority, he could hardly fail, I think, to exercise a formidable influence over your local administration. I do not think you could expect him to act permanently and habitually the part to which use, tradition, and necessity have reconciled the Sovereigns of England; in a word, to reign and not to govern. Besides, there is this practical difficulty in carrying the doctrine of Government by responsible Ministers after the English fashion into effect here: that it is very doubtful whether you will find in a small and poor community like this, a sufficient

number of men qualified to fill the higher offices of Government, who could afford to hold them on such a precarious tenure as that of depending on the will of a majority in the General Assembly; or, on the other hand, men at the head of every political party which might obtain a majority in the Assembly qualified to administer the various departments of the Executive Government. For all these reasons, as I said before, I cannot help thinking it would be found more convenient, that is, more conducive to good administration, that the Governor himself should be chosen by the people for a fixed term, and responsible to them, and that his Ministers should be appointed by him, and responsible to him only. There would thus be a certain continuity and permanence in the administration of public affairs, while the responsibility of the executive head would insure due harmony between the Government and the people. But having fully stated my opinion, I repeat that I think we are more likely to get responsible Ministers than a responsible Governor; and I will only add that either plan would, in my opinion, sufficiently conduce to good practical Government.

I will next state what are, in my view, the questions which it would be right and proper to reserve from colonial jurisdiction, and place under the exclusive cognizance of the Imperial Government; and in doing so I will use the words of one of a series of resolutions moved by Mr. Adderley in the British House of Commons, as an amendment on the Australian Constitutional Bill:—"The only subjects which concern the interests and honour of the Empire with relation to these distant dependencies of her Majesty are—1st, the allegiance of the colonies to her Majesty's Crown; 2nd, the naturalization of aliens; 3rd, whatever relates to treaties between the Crown and any foreign power; 4th, all political intercourse and communications between any of the colonies and any officer of a foreign power; 5th, whatever relates to the employment, command, and discipline of her Majesty's troops and ships within the colonies, and whatever relates to

the defence of the colonies against foreign aggression, including the command of the colonial militia and marine in time of war; and, 6th, whatever relates to the crime of high treason." Speaking more generally, it may be said that matters which concern allegiance to the British Crown, and relations with foreign powers, are those which must be reserved from colonial jurisdiction, for the purpose of preserving the integrity of the British Empire. For these restrictions the honours and advantages of British citizenship, and the protection of Great Britain against foreign enemies, will be an ample compensation; nor do I think they would be felt by a single colonist as practical grievances. Before the time arrives when these colonies, conscious of power, shall demand the privilege of standing on equal terms with the mother country in the family of nations, I trust that increased facility of intercourse may render it practical to establish an Imperial Congress for the British Empire, in which all its members may be fairly represented, and which may administer the affairs which are common to all. It is necessary for me to remark, that I see no reason why intercourse with uncivilized native powers should be forbidden to Colonial Governments. It never was so in North America, and I do not see that the relations of our early colonies with natives were at all less satisfactory than those of our modern dependencies, where everything has been managed by Great Britain. Certainly the duties and responsibilities which the old system imposed on the colonists in this respect, seems to have formed a national character replete with self-reliance, energy, and political ability. The American Revolution was made by soldiers and statesmen: if the Australians are ever summoned to a similar struggle, it will find them, if they don't take care, mere wool growers and gold diggers.

The only point connected with the relations between the colony and the mother country which it remains for me to discuss is that which regards the judiciary. It is a question whether there ought to be an appeal from the Colonial Courts

to the Queen in Council, and it is a question how these provisions of the constitutional law, which concern both the colony and the mother country, are to be interpreted and enforced. As regards the first question, I hold that, except in Admiralty cases, there ought to be no such appeal. With every possible respect for the great lawyers who form the judicial committee of the Privy Council, I cannot but think that the advantage of the superior ability and learning which they would bring to bear on the cases of colonial appeal, is counterbalanced by their want of conversance with local laws and customs, and by the extreme difficulty of getting the facts of those cases clearly brought before them; while the right of appeal, if brought practically into operation, would entail an amount of inconvenience, delay, and expense which can hardly be over estimated. If the colonists will determine to avoid the fatal economy which would tend to cripple the efficiency of the bench; if they will make it worth the while of high-principled and able men to fill their judicial offices, I have no fear but that the public peace and the rights of individuals may be amply secured and maintained, without there being any necessity to keep an appeal to a tribunal 16,000 miles off, hanging over the heads of the unfortunate suitors. As regards questions which might arise between the colony and the mother country upon the subject matter and the boundaries of their respective jurisdiction, these I should be content to refer to the Judicial Committee as at present constituted, or to the Judges in Exchequer Chamber. There is, however, as yet no necessity for discussing this point as a practical question; for there is now no distinct and independent jurisdiction in the Colonial Government, and the Imperial authority being paramount in all questions, local or otherwise, the extent and manner of its interference depends altogether on the pleasure of the Colonial Minister. But if that most important desideratum, the separation of jurisdictions, could be obtained, a tribunal analogous to the Supreme Court of the United States, which is the final interpreter of

the Constitution, would immediately become necessary for the purpose of enforcing and enacting that separation. Now, as our only object would be to secure that a tribunal for this purpose should be independent and impartial, and as there is every reasonable guarantee for the independence and impartiality of the English Judges, I do not see that any better mode of reference could be arrived at or required than either of those which I have suggested. The cases in which their authority would be invoked, cases, namely, of disputed jurisdiction between the Imperial and Local Governments, would in all probability be rare. But it is most likely that, if really free institutions were given to all the colonies, and the arbitrary power of the Colonial Office were removed, the same or some similar tribunal must be constituted, for the purpose of deciding disputed questions between different colonies.

I shall now pass to the second division of my subject—viz., the relation between the General Government of New Zealand and the Provincial Governments.

There are two methods of carrying into effect the principles of what may be called a complex or aggregate system of government, by which I mean a system of government that contemplates the same people as living under two or more concurrent jurisdictions, and provides two or more sets of political institutions for them—viz., central institutions for managing that portion of affairs which may be considered to affect the whole people directly; and separate institutions for managing that portion which has only a limited and local interest. By the first method the central and the municipal governments are constituted in the relation of freedom in a co and sub-ordination. The Central Government, possessing original and supreme power, delegates certain of its functions for purposes of convenience to the muncipality, retaining, however, in its own hands an unlimited and discretionary control over the acts of its delegate. Such is the relation which exists in England between Parliament and the municipal corporations, Universities, chartered companies, &c.,

which exercise local jurisdictions in various parts of the Queen's dominions. No one doubts the competency of Parliament to restrict, modify, or annihilate at its pleasure all the powers and immunities of such bodies; nor is it, I think, at all admissible that the position of British colonies is different in kind from that of other corporations holding delegated powers. I know that it *was* so argued on behalf of the American colonies at the time of the revolution, and especially an attempt was made to draw a distinction between powers of legislation and powers of taxation; but I can find nothing in the reasoning used by the Americans which appears to me to deserve serious consideration. I most fully agree with Mr. Burke, where he says, "The Parliament of Great Britain sits at the head of her empire in two capacities: one as the local legislature, providing for all things at home and immediately; the other is what I call her imperial capacity, in which she superintends and controls all the several inferior legislatures, and guides and controls them all without annihilating any. But in order to enable Parliament to answer the ends of provident and beneficent superintendence, its powers must be *boundless*." I need not say that I agree with him as fully when he says that this power, theoretically boundless, should be most rarely, sparely, and discriminately used; that non-interference should be the rule, interference the exception; that, "if we intemperately, unwisely, fatally, unsophisticate and poison the very source of government, by urging subtle deductions and consequences odious to those we govern, from the illimitable nature of supreme sovereignty, we shall teach them by these means to draw our sovereignty itself into question. If that sovereignty and their freedom cannot be reconciled, they will cast our sovereignty in our face, for nobody will be argued into slavery." Would that the mighty statesman's words, of which he lived to see the melancholy verification, had been graven on the hearts of those who since that time have swayed the destinies of our colonial empire!

But this is a digression. I have said that the relation of British colonies to Parliament brings them into the first category of what I have called aggregate systems of government. The second category comprises those systems of government which are formed on the principle of federation. In these it is not a supreme Central Government that delegates certain limited functions to Local Governments, but a number of independent and sovereign States agree for their mutual benefit to combine, and to delegate a certain portion of *their* sovereignty to a Central Government. Of course it follows from this process that instead of, as in the former case, the Central Government remaining supreme and permanent in all things over the Local Governments, the latter retain in full integrity all the powers which they have not expressly delegated, and in respect of these powers are as completely sovereign and independent as they were before the union. Such were the principles on which in ancient times the Amphictyonic and Achean, and in modern times the German and Dutch confederacies were founded. Such, too, is the relation which subsists between the separate States of the American Union and the Federal Government, and between the Cantons of Switzerland and the Government of the Helvetic League. In framing the Constitution of this colony, to which physical circumstances as well as moral considerations, made the application of one or other of these systems desirable, it lay with Parliament to determine which of the two they would give it. Were they to treat the Central Government as though it had been the original constituent authority, and to give it those paramount prevailing and controlling powers over the whole colony of New Zealand which Parliament itself possesses over the whole British Empire? Or were they to treat the provinces as integral independent units, and starting as it were from that idea, to make them give up only just so much governmental authority to the Central Government as might be considered necessary for the general good, retaining all powers not so expressly delegated?

I need not tell you that the former was the plan which the Minister proposed and Parliament adopted. Your Constitution provides that the Central Legislature of New Zealand shall have an unlimited power of making laws for New Zealand, so far, that is, as is consistent with its subordination to the mother country. There are certain subjects enumerated which the Provincial Legislatures are not to touch, with which the Central Legislature therefore alone can deal; but there is no corresponding restriction on the powers of the Central Government: on the contrary, it is enacted "that the laws made by the General Assembly shall control and supersede all laws in anywise repugnant thereto, which may have been made prior thereto by any Provincial Council, and any law made by any Provincial Council shall, so far as the same is repugnant to or inconsistent with any Act passed by the General Assembly, be null and void." Carrying out the same view, the Act makes all the legislation of the Provincial Councils to be subject to the Governor's disallowance. It enables the Governor to disallow also the election of the Superintendent, and requires that the Superintendent shall obey the Governor's instructions implicitly with regard to the exercise of all his functions. Indeed the Superintendent has no power conferred on him by the Act, except the nominal power which it hardly required the authority of Parliament to confer, of transmitting drafts of laws for the consideration of the Provincial Council, and of giving and withholding assent to Bills, in accordance with instructions from the Governor. I will consider this part of my subject in relation first to the legislative, and next to the executive powers of the Central and the Provincial authorities respectively. Upon the first question, whether the Provincial Legislature should or should not have been made *by the Constitutional Act* independent of the Central Legislature, I do not feel so strongly as most of those with whom I generally agree. I attach, too, more importance than I think they do to the inconvenience and evils of having these islands cut up into six or eight

petty states, with different codes of law, and perhaps different systems of government, and therefore it is with some hesitation that I have been led to advocate the complete municipal independence of the provinces, especially as there is danger lest such unreserved independence tend to perpetuate the little jealousies and rivalries which the various circumstances of their respective origins have produced. On every account I look anxiously forward to the time when their complete amalgamation will be possible. I have no wish to see a hexarchy prolonged in a country the whole of which is of perfectly manageable dimensions, not larger than Great Britain and Ireland, or than many of the American States. The normal state of New Zealand ought, in my opinion, as regards this point, to be that of England, not of America. I see nothing which ought to prevent at any very distant time the Parliament of New Zealand legislating for all the islands; just as the Parliament of Great Britain legislates for Caithness and Cork, and that of New York for Long Island and Buffalo. The question between federalism and unitarianism (if I may so call it) is in my mind entirely one of geography, where there are no essential differences of race, or other social peculiarities which forbid amalgamation. Unity is best where you can have it, and the tendency of things is towards making political unity more and more possible every year among peoples hitherto divided. Electricity and steam are the most powerful of political amalgamators; it is easier now to govern the Highlands and Connaught from the Home Secretary's Office in Downing-street, than it formerly was to govern Devonshire and Northumberland, and I hope many of you will live to see the Bluff and the Bay of Islands brought as near to each other as John O'Groat's house and the Lizard.

Still feeling all this very strongly, I cannot see but that at present this colony is not fit for centralized government; not merely because communications are imperfect, but because you really cannot get people to make politics a profession,

and to spend a considerable part of their time at a distance from their homes. Nor are the people I think disposed or fitted to work together, as I trust they will be when they have mixed more with each other, and become more naturalized in their new homes. They would obviously prefer keeping apart, and managing each settlement its own affairs; and this is a feeling upon which certainly no force should be put. The popular instinct is likely to be right, and at any rate cannot be contended with. I am content, therefore, to acquiesce in what I see clearly the event will be—namely, the abdication by the General Assembly of as much of its functions as it can with decency and propriety abdicate, both in order to save its members the inconvenience of frequent and protracted sessions, and because their constituents will prefer to have the chief part of their affairs locally managed. The history of Governments analogous to that of New Zealand shows almost invariably a constant growth of the central element, and I see little reason to suppose that New Zealand will be an exception to the rule. The reasons for this lie deep in the first principles of human nature; in its jealousy of external control, in its local attachments, its pride, its prejudices, its narrow mindedness, its patriotism. Upon the same principle that a man is more attached to his family than his neighbourhood, to his neighbourhood than to the community at large, the people of each confederated State are sure to feel a stronger bias towards the Government of their own State than towards the Central Government; and are sure to wish as much power as possible to be thrown into the hands of the former. There is no fear on that side of the question, except for one consideration, which I earnestly hope may prove temporary and evanescent. What I refer to is this: at present no doubt the struggle between the two will be apt to take more or less the form of a struggle between the mother country and the colonists, because every diminution of the power of the Central Government will be of course so much taken from the power of the Governor, who is an

Imperial officer, and given to the Superintendent, who is essentially a colonial officer; but I do not anticipate from that quarter any prolonged resistance to Provincial aggression. If the Central Assembly and the people generally desire to throw more and more of the management of affairs into the hands of the provinces, the mother country will soon I think get tired of interfering for the sake of preserving her indirect influence through the instrumentality of the Central Government; and, remember, there is no other obstacle to the will of the provincial constituencies. Their aggregate makes up the central constituency. It is not here, as it is has been in many European countries, where the central power has encroached on the privileges of municipal bodies. In these latter cases, you will find that the central power has always rested on a different basis, generally the basis of a powerful monarchy; while the municipalities were scattered and weak, and comprised a small proportion of the people. I repeat that in every case which I can remember of the same people choosing a central governing body, and local governing bodies, the local bodies have proved victors in the struggle which necessarily to some extent ensues. I am not, therefore, as some of my friends are, disposed to look with jealousy on the possibility of the Central Assembly wishing to retain too much power in its hands. I am more afraid of the provinces wishing to retain for an indefinite time ampler powers than will ultimately be consistent with the utmost development of the national greatness and prosperity of New Zealand.

The only powers which it occurs to me as essential that the Central Legislature should retain are—

1. The power of levying any taxes, duties, and excises which may be required to pay the debts and provide for the expenses of the Central Government.

2. The *exclusive* power of imposing Custom's duties.

3. Of regulating commerce with foreign nations, and among the provinces, including harbour regulations, dues, &c.

4. Of establishing laws relating to bankruptcy and insolvency.

5. Of regulating the coinage, or the issue of paper currency.

6. Of regulating weights and measures.

7. Of establishing and regulating courts of civil and criminal jurisdiction, with certain specified exceptions.

8. Of altering the criminal law, with certain specified exceptions.

9. Of providing for, organizing, arming, and disciplining the militia.

The reasons for prohibiting the Provincial Legislatures from exercising most of the powers above referred to are too obvious to require enumeration. With respect to the first of them however, namely, the power of unlimited taxation given to the Central Government, it may be necessary to remind you that it is absolutely necessary, because it is quite impossible to say what emergencies the Central Government may have to provide for. In all probability, however, its requirements will be met by indirect taxation—that is, by duties on consumption, which in fact constitute the only perfectly equitable mode of taxing populations so differently placed and circumstanced as the inhabitants of the various provinces of New Zealand. The only question which appears to me at all doubtful is whether the power of making and altering the criminal laws, and of establishing civil and criminal courts of the supreme kind, should be left in the hands of the Central or Provincial Legislatures; but on the whole I am of opinion that the diversity and conflict of laws and of judicial administration, are greater evils than those incident to a centralized judiciary. Besides, at present the business and the resources of the provinces are not sufficient to occupy the time and pay the salaries of competent judicial officers. If the question of the waste lands were a fresh one, *i.e.*, if there were no pre-existing circumstances complicating the whole matter, by affecting differently the different parts

of New Zealand, I would prefer entrusting the power of regulating this subject to the Central Government, but such is not the case. The schemes on which the different settlements have been founded are so various, and the contracts which have been entered into, more or less on the faith of them, are so numerous, that I am fully persuaded the introduction of a uniform system would produce an amount of inconvenience, annoyance, and positive injustice, which no advantages resulting from it would nearly counterbalance.

I now come to the question of the Executive. Whatever may be the limits which the Central Legislature may consent to fix between its own jurisdiction and that of the provincial authorities, it is essential that it should carry into effect the legislative powers which it may retain *by means of its own officers*. You ought not, I am convinced, to think of making the officers charged with executing its mandates responsible to the provincial authorities. I have heard many people talk as though they thought it would be desirable to place the officers of the Customs and of the Postal Service, and other departments which are admitted to be Central, in the gift and under the direction of the Provincial Superintendent. Such a plan is out of the question, if the complex system is to work at all, and the Islands are not to be divided into six distinct and independent Governments. It was fully tried, to speak of no earlier instances (such as the Amphictyonic and Germanic Leagues) in the first confederation of the United States, and broke down thoroughly and hopelessly within ten years. The articles of that Confederation provided that Congress should deal only with the States, not with the individuals inhabitating the States; should impose contingents, not collect taxes; should make laws on various subjects, but not possess any machinery for executing them. The result was the utter impotence of Congress. The States refused, or rather neglected to pay its contingents, or to execute its laws, and it was helpless: it had no means of forcing or of punishing them. Under these circumstances,

when the Union seemed on the point of perishing, a Convention was summoned to consult for the safety of the nation. It is unnecessary to expound to you in detail the provisions of the Constitution which was drawn up by that Convention. For my present purpose it is sufficient to note that, as the leading defect in the old system was the weakness of the Federal Government, so the remedy adopted was to give the Federal Government the power of dealing by means of its own officers for all lawful purposes, with each individual in the Union. Every Custom House officer, every postmaster now holds his appointment directly either from the President of the United States, or from the head of one of the Federal departments, and has nothing whatever to do with the Governor and the other authorities of the State he may happen to reside in. This remedy was found perfectly effectual, and I think that from thenceforward it might be laid down as a political axiom that without such a provision no constitution of the complex kind could be carried on; the Central Government would infallibly die of paralysis or of inanition.

On the other hand, it is not less important that the Provincial Executive should be made independent of the Central. The Constitution as it now stands leaves this part of the subject (whether from inadvertence or not I cannot say), in a strange state of confusion and anomaly. The name and the popular idea of the Superintendent would seem to point him out as the head of the Provincial Executive, but the Act confers no executive powers on him at all. He will be in fact little better than a sinecurist (and by no means a dignified one), for he will have nothing else to do, but to execute the orders of the Governor, as regards the allowance or disallowance of bills, and some other legislative proceedings of a merely formal character—orders which might be carried into effect just as well, so far as I can see, by means of a communication from the Governor to the Speaker of the Council. It is possible, no doubt, that the Governor may by com-

mission confer on him executive powers; but if so, the jurisdiction which the Governor may create will be subject to any limitations which he may choose to impose, and will be revocable at his pleasure. And in the meantime he will have the whole patronage of the provinces as before; the Government officers and the magistrates will hold their commissions and appointments from him; in short, as regards the executive department, no change whatever is effected by the act.

Now I cannot conceive that this system should work tolerably for one year, for one month. I cannot anticipate anything but confusion and conflict as the result of an officer elected by the people being the organ and representative of the Governor. In many of the provinces—perhaps in all—the Superintendents will, as a matter of fact, be men who have been distinguished for their opposition to the Government—certainly men between whom and the Governor there will be no mutual confidence. At any rate it may be so, now and always; and over such men, when once in office, the Governor will have no means of exercising any effectual control. It is true he will have the power of giving them instructions; but suppose they disobey those instructions, as they infallibly will do if they dislike them, what will he do? The Superintendents, backed by the people who have chosen them, who pay them, and who (I will assume) sympathize with their views, will no doubt refuse to act the anomalous and subordinate part assigned to them; and, if so, the Governor can do nothing, except either give way, or bring things to a dead lock, which will produce a chronic rebellion. I am confident, therefore, that the Assembly must at once propose that this blot in the existing system be removed, by making the Superintendents chiefs of the Provincial Executive, and supreme within the limits of their local jurisdictions. This is quite irrespective of the question treated above, as to whether the legislation of the Central Assembly should override that of the Provincial Councils or not. For example, the legislation of Parliament in England can over-ride at its

pleasure the bye-laws of the Corporation of London; but the Crown has nothing to do with the making of those bye-laws, nor is the Lord Mayor in his executive capacity subordinate or responsible to the Secretary of State. I repeat that it should ever be present to your minds, as a fundamental element in your consideration of the subject, that the Central and the Provincial departments of Government must have no connexion with each other; they must travel on lines parallel but apart; neither responsible, neither subordinate to the other, but each free and independent within the limits of its own jurisdiction.

I now come to a point of great importance in connection with the distribution of powers between the Central and Provincial Governments — I mean the constitution and functions of the Judiciary. However the distribution of powers may be settled, it is of primary importance that it should be settled *by law*, and that the law should be interpreted and enforced by an independent tribunal. We ought to know exactly what the Central Government is or is not to do, and what the Provincial Government is or is not to do. The worst distribution fixed and known is better than one depending on arbitrary caprice. As the matter stands at present, the Central Legislature can do anything it pleases, and the Governor-in-Chief anything he pleases, so far as any rights of the Provincial Legislature and Executive are concerned; so that in fact no man would be safe in acting on a Provincial law until it shall have been sanctioned and confirmed by the Central Legislature. It is essential, therefore, that, when the Central Legislature shall have formally abandoned certain powers to the Provinces, from thenceforward all questions of jurisdiction be referred to the Supreme Court of the Colony; and that this Court, moreover, shall be so constituted as not to be, nor even to appear dependent or partial. At present, in whatever estimation we may hold the character of particular Judges, the composition of the Judiciary of this colony is such as necessarily to deprive

the community of all confidence in its independence. Every Colonial Judge holds his office at the pleasure of the Crown, and may be suspended or dismissed by the Governor; and this power is not theoretical only; as a matter of fact it has been exerted more than once within the last few years, and in the neighbouring colonies. Now the precarious position of the Judges may produce but little practical inconvenience when the questions tried by them are the ordinary ones at issue between individuals; but when constitutional questions—questions between the Crown and the subject—or (to put it another way) between the Governor and the Superintendent, come before the Supreme Court, it is manifestly wrong, indeed monstrous, that the Judge who tries the case should be dependent on one of the parties before him for his office—a party whose acts he is perhaps called upon to declare void. I repeat that no argument drawn from the character of particular Judges is worth anything against this radical defect in their position. We know how Judges have been tampered with by the Crown, not so very long ago, in England, and how the sense of this as a practical pressing evil led, after the Revolution of 1688, to the alteration in the English Judges' tenure of office from "pleasure" to "good behaviour." In America the independence of the judiciary is still more firmly sacred; for in England it is only the superior Judges who hold their commissions during good behaviour; and even they are liable to be removed on an address of both Houses of Parliament. The Judges, not only of the Supreme Court, but of every inferior Court of the United States, hold office on the same tenure, under the guarantee of the United States Constitution, which is (humanly speaking) unalterable. Moreover, it is provided by the same article in the Constitution, that the salary of a judicial officer shall never be reduced during the lifetime of its holder. Now, in a colony there is evidently much greater necessity for securing the independence of the Judges than in England or America, because in a colony the power of suspending or dismissing

them is vested in men over whom the community affected by their acts has no control, and who are practically independent even of public opinion; yet such is the low estimation in which colonial rights have been held in England of late years, that a principle so obviously sound in theory, so strongly supported by precedent and analogy, and so peculiarly necessary in colonies, as that of judicial independence, has not been extended to them. There is, indeed, in the Constitution now before us a clause which at first sight would appear to be founded on a sound sense of the importance of the view which I have been urging; and so it is in a manner, but that manner is eminently characteristic of the spirit in which colonial matters are approached. The clause secures the Judges, it is true, but against whom? against the *colonists* (violating by the way a sound principle by naming the sum which they are to receive); but it never occurred to Parliament that it might be advisable to make them independent of the *Crown* and the *Governor* as well; *that*, I suppose, we should be told, would have been "inconsistent with monarchical institutions;" so the Judicial Bench is left independent of those whose occasional control might possibly be beneficial; dependent on those who, as they have no interest, ought to have no voice in the matter at all. A reform, then, in the position of the Judges of the Supreme Court ought to be one of the first to occupy the Legislature of New Zealand.

I now come to the third division of my subject—namely, the form and functions of the different departments of the Government, and the remaining features of the Act, which have not been discussed under the two previous heads.

I will take first the office of Superintendent. This functionary is to be elected by the people for a term precisely corresponding to that of the Provincial Councils' existence; his appointment is subject to the disallowance of the Governor, and he is liable to be dismissed on an address of the Provincial Council. The functions which the Act gives him are wholly concerned with the making of laws; and the provision for his

dissolution (if I may so speak) contemporaneously with the dissolution of the Council, seems to stamp him still further with a purely legislative character. He seems, indeed, to be in short a kind of Upper Chamber. But if this be the intention of Parliament, I must say that the conditions under which it is provided he shall exercise his functions, seem to me so strange as to be almost ridiculous. I never before heard of a branch of any legislature which was "subject to instructions" with respect to the discharge of its legislative duties—in other words, which was bound by law to vote as it was bid. I know many legislative bodies which are practically in that predicament, but I should think this was the first instance of such a plan being put into a paper constitution. Again, the unfortunate Superintendent is not merely forbidden, on the one hand, to have a will of his own as regards assent to or disallowance of bills; but he is also, on the other hand, dependent for his salary on the Council, and subject to dismissal at *their* instance. So that the upper branch, of which the sole apparent use is to be a check and balance to the lower, is deliberately placed in the power as regards those important particulars, of its legislative colleague. If the Superintendent disallow a bill, forthwith the Council addresses the Governor to dismiss him. It is true that the Governor may refuse, and this is the best chance the poor man has of enjoying his office for a reasonable term, the Governor and the Council being tolerably sure to be on such a footing with respect to each other, that if he displeases the former he will be backed by the latter, and *vice versâ*. But if the Governor refuse to dismiss him when called upon, the Council will stop his salary, which will probably decide the question for all practical purposes, whether the Governor like it or no. On the whole I cannot imagine a public officer placed in a more perplexing and humiliating position; not knowing what he is to be or to do; in one sense the representative of the people, in another the creature of the Governor; bound by the terms of his contract to serve two masters, who

are sure to be at variance, and one of whom can deprive him of his pay, the other of his occupation—sure only of one thing, which is, that he must not act an independent part, or follow his own judgment, lest he unite both against him, and so become inevitably "dissolved," without a voice being raised on his behalf. I can only account for the contradictions and anomalies which appear in that part of the act that relates to the Superintendent's office in this way: according to the original draft he was to be appointed by the Governor, and to have a fixed salary payable out of the Civil List, in which case his position would have been the ordinary and intelligible one of a subordinate official of the General Government, and I suppose that when the office was made elective, and otherwise to a great extent dependent upon the people of each province, it was forgotten to accommodate the rest of its conditions and functions to the new state of things. But however this may be, the General Assembly will have carefully to consider the subject of the Superintendent's position, as it is an extremely important one. In my opinion he ought to be made primarily the head of the Provincial administration, supreme within his jurisdiction; he should also be invested with legislative powers of the kind usually possessed by the Executive Chief in constitutional countries, I mean powers of veto and dissolution. He should be released from his degrading vassalage to the Governor, with whom he ought really to have nothing whatever to do. He should be made, moreover, absolutely independent of the Provincial Council, by being elected for a fixed term, and by a provision that his salary once fixed shall not be reduced during his continuance in office. There appears to me neither reason nor advantage in connecting the termination of his office with the dissolution of the Council, and in making him liable to dismissal on an address of the Council. If his office were not elective and temporary, some such provision might perhaps be required, but as it is, his responsibility to the people makes it quite safe to keep him independent of the Legislature; and

the absence of a second chamber makes such a check upon hasty legislation peculiarly necessary. The Assembly may also consider whether it will be advisable to give him any other work besides that of "superintendence:" probably (in the smaller provinces at any rate) his time will not otherwise be fully occupied; but this is a comparatively unimportant matter of detail.

I do not think it necessary that I should add anything to what I have already said on the subject of the Provincial Legislature. I will repeat that, the only limit to its powers should be the limit of his jurisdiction. I mean that whenever the subjects on which it *may* legislate shall have been fixed by the Central Assembly, thenceforward upon those subjects it should be supreme; that its legislation should not be referred to the Governor for his sanction, nor be subject to be over-ridden by the concurrent jurisdiction of the Central Legislature. If the Central or Provincial Legislature exceed its powers, of course its acts, *pro tanto*, ought to be void, and the question whether it have done so or not in any particular case, should be decided by the Supreme Court, or whatever may be the proper judicial tribunal.

I will only say a few words in passing on the subject of the franchise, for I fear it has now ceased to be a practical question. In my opinion the qualification fixed by the Act, involving as it does almost what is vulgarly but improperly called universal suffrage, is too low. I hold that before the responsible and arduous privileges of an elector under a popular constitution be entrusted, some approximate test of reasonable competence on the part of the trustees should at least be sought for, and I do not think that every man twenty-one years old, or every occupier of a house worth £5, is capable of exercising even indirectly the functions of a legislator with advantage to the community. I think we should endeavour by some more stringent process to distinguish the more moral, more industrious, more educated, and more intelligent part of the community from the rest, and to

confine political power, as far as we can, to the former. I know we cannot do so otherwise than very imperfectly; I know that wherever we draw the line, many good men will be excluded, and many bad men admitted; but that is of course no argument for drawing the particular line so as just to include males of twenty-one years old, or occupiers of houses worth £5, rather than at any other arbitrary point. It is, and must be a question of degree only, upon which, as there can be no particular reason for any two men to hold exactly the same opinion, some sort of compromise or general agreement is necessary. Now, my deliberate opinion is, that to a new country, where almost every sober, industrious, and intelligent man is tolerably sure, within a short period, of acquiring property, a small property qualification is peculiarly well adapted, and would constitute, generally speaking, a fair test of political fitness. There would not be here, as in England, any *class* permanently excluded by it (that is if it were not too high); all that it would do would be to involve the necessity of a certain apprenticeship, in the case of men living by manual labour, before they could obtain the franchise, and to exclude altogether from the management of public affairs those only who should prove themselves incompetent to manage their own. Nothing has ever impressed upon me more strongly the careless and contemptuous manner in which colonial questions are treated by British statesmen, than the fact that men who would sacrifice half their estates sooner than consent to the establishment of a franchise like this *in England*, either contentedly acquiesce in, or actually advocate the enactment of it for New Zealand. It is really incredible that upon this all important question of the suffrage under the new Constitution, not a single observation, so far as I can discover, was made in either House of Parliament.

Independently of general reasoning, there has always appeared to me to be a special ground for desiring the establishment of a property qualification for electors in New

Zealand. It is this: that I cannot think of any other tolerably satisfactory plan for dealing with the question of Maori voters. I never approved of the way in which the popular party at Wellington appeared to me to shrink from expressing a decided opinion on this question; and I need not say that I repudiate what I will call the monstrous proposal once made by Sir George Grey, that the Governor should have the power of nominating electors of the Native race. I think the principle adopted in this Act of making no distinction at all between the races a sound one; but I very much doubt its working well practically, unless combined with a property qualification. If you imposed upon the Maori the necessity of acquiring a certain amount of property *as an individual*, before you allowed him to exercise political privileges, you would probably insure that, speaking generally, your Maori constituency would be composed either of chiefs or of men who had adopted to some extent European habits, at least who had learned to practice the virtues of industry, perseverance, prudence, and self-denial. Such men would really in most cases be very useful and worthy citizens of a free state, while at the same time, without imposing any invidious distinctions, you would practically limit their numbers, so as to secure the natural and just preponderance of the white race.

As the case now stands, I regard by no means without uneasiness the possibility of the constituencies being utterly "swamped" by Maoris. I do not know exactly how the law may come to be worked, but if it be worked fairly and impartially, I foresee that in the Northern Island almost any amount of Maori votes may be created among a population wholly incapable of understanding the simplest rudiments of the questions on which their votes will be brought to bear—a population which will be a mere prey to designing Europeans. Especially, it is difficult to over-estimate the means of influence which the position of the Native population under this Act places at the disposal of the Executive

Government. But wishes and regrets on the subject are now vain: one of the advantages of beginning with a qualification high rather than otherwise is, that while it is very easy to extend, it is almost impossible to restrict an existing franchise. I look, therefore, upon this as a settled question, and should not perhaps have alluded to it, if I did not think it uncandid to abstain from stating at the proper time, in public, views of an unpopular kind which I have always entertained and strongly expressed in private.

The next provision in the Act before us on which I think it necessary to comment is the composition of the Legislative Council of New Zealand. The Act provides that her Majesty, acting through the Governor, shall have power to summon such persons, being not less than ten, as her Majesty shall think fit to the Legislative Council, and that these Legislative Councillors shall hold their seats for life. To use the popular phrase, you are to have a Nominee Upper Chamber. Now, here again we have under another form, the old idea, against which so much has been already said in this lecture—the idea of keeping up the "interest of the Crown" in these colonies by means of a control over their Governments and Legislatures. Why should the Colonial Minister of England, I want to know, exercise any influence at all over your legislation? As he has no business to veto your laws, why should he appoint your legislators? Who is the better for his doing so? What conceivable interest has England in forcing into your Legislature men whom you would not yourselves choose for that purpose? And as to your own interests, surely you are the best guardians of them. It is your business to take care that the best men that can be obtained shall be obtained to make your laws. It signifies nothing to any one else. I cannot understand how any one can seriously attempt to draw a parallel between the peerage of the United Kingdom, and a chamber of colonial nominees. The comparison is ludicrous. In the first place, I think I may assume that even at home a body like the House of Peers could not

now for the first time be created. Its power and influence and greatness depend on circumstances of an altogether peculiar kind; it lives by its historic glory, by the prescription of a mighty name, and by its intimate connection with every other part of the Constitution, quite as much as by the hereditary wealth and dignity of its members, and by its suitableness to the aristocratic and semi-feudal character which still stamps British society and British institutions. What analogous means of influence would a nominee chamber possess here to compensate for its anti-popular character? Whatever traditions may be connected with it are certainly not of a very glorious or imposing kind. From the general equality of conditions that prevail in this country, it is not likely that its members will be much removed by property and position from the mass of their fellow-citizens. Nor is it likely that, with the very best intentions, the Governor will be able to get men of eminent merit and ability to become his nominees. Such men will, I trust, have the opportunity of holding, and will certainly prefer to hold seats in the popular branch of the Legislature. If, even in England, an active politician regards removal from the House of Commons to the House of Lords as a supersession, or at least as extremely detrimental to his political influence, *à fortiori* will an analogous feeling prevail here, where the acceptor of a nominee seat will be exposed to so many prejudices and to such popular odium. I am inclined, therefore, to anticipate that the nominee chamber having no real stamina or foundation will not be an active nuisance; it will rather fall speedily into impotence and contempt. If the Governor continue to exercise, as at present, a personal influence and control in the management of your local affairs, the nominees will be of no material use to him. He may possibly contrive to do through their votes what he would otherwise do openly on his own responsibility, and thus throw on them some part of the odium incident to his own position, but that is all; and I do not think you will be much worse off for the alliance.

If, on the contrary, your affairs come to be managed by responsible Ministers, as in Canada, they will adopt like the Canadians a very simple method with the nominee house, in order to bring it into harmony with the Executive and the majority of the Lower House. They will just "swamp" it to the necessary extent with their own partizans. Under either of the above systems, there will always be a strong tendency to increase the members of the Council, as successive Governors or successive Ministers find it convenient to satisfy adherents or over-ride opposition; and they know little of the way in which colonial politics are carried on, who think that any constitutional scruples or regard for the dignity of the order, will interfere, as at home, to prevent the "swamping" process from being employed to any required amount. It is possible, therefore, that you will quickly have a very numerous Legislative Council.

If we must have nominees, it is undoubtedly an improvement on the old nominee system that they should be appointed *for life*, as they will thereby be able to preserve some degree of independence; but, on the other hand, by this provision, if the full complement which may be considered right be made up within a few years, as I have shown to be probable, all chance (even if there were otherwise a chance) of attracting into the Legislative Council from time to time the best men in the colony is excluded. In a population like ours deaths occur but rarely; and it is probable that twenty years hence the composition of the Legislative Council will be pretty much the same as next year, or the year after, neither better nor worse; your security against this, however, is that there is not much likelihood of the Constitution lasting in its present form for twenty months, to say nothing of twenty years. For my own part I am somewhat inclined, with Mr. Gladstone, to think it not improbable that the operations of the Legislative Council may come to a stand-still on the vulgar question of money payments. There is not the slightest chance that the people will consent to pay the expenses of nominees, and I

doubt very much whether, without payment, you will get a quorum to attend the Legislature; unless, indeed, a sufficient number of them happen to reside in the immediate neighbourhood of the seat of Government.

The subject of the political position in which the Native population is placed by the Act now under review has been already alluded to; but it is too important not to require some additional consideration. The Act says that the Governor may "constitute within New Zealand convenient electoral districts," &c. I am not sure whether, under this clause, the Governor has or has not power to exclude the inhabitants of *any part* of New Zealand from the privileges which it confers. If he has not, those large tracts of the Northern Island which are hardly ever visited by Europeans, and in which the bulk of the Natives live, must be formed into districts and elect members; if he has, as I suppose, then I must say that the precise nature and limits of a power so unconstitutional, and so capable of being abused, should in my opinion have been clearly laid down. With the principle, however, which the Act involves—the principle, namely, that the European provinces are to constitute a "pale" outside of which Native laws and customs are to prevail, I fully agree. It is in fact only recognizing and making legal a state of things which will exist whether you will or no. But I do not at all agree with the policy of setting apart a sum for the benefit of the Natives, over which the Assembly is to have no control. As the Natives are to have their full proportionate influence in electing representatives to manage the general expenditure, it is unfair that they should have a special provision besides. Nor do I see why it is to be supposed that the Assembly would show any reluctance to give whatever might be required for Native purposes; while I think the disposal of it would be much more properly and safely vested in their hands than in that of the Governor. There is a popular notion, which Colonial Governors, I observe, take great pains to foster, that colonists are the natural enemies,

and Governors the natural guardians of Natives. But I can not find any ground for this notion, either in reason or experience. It is reasonable to suppose that those who are the most deeply interested in preserving peace and friendly intercourse with the Natives, and promoting their civilization and prosperity, will be the most likely to devise and adopt a policy conducive to those ends, and I utterly repudiate the idea, which is, I suspect, in fact though unavowedly, at the bottom of this theory, that an officer chosen by the Crown will be wiser, more humane, and more likely to obtain the confidence of the Natives, than one chosen by the colonists. Nor does experience, I think, tend to prove that imperial officers understand how to deal with the Natives better than colonists. If I look to New Zealand, I find that the only serious Native hostilities we have had to contend with sprang directly from the acts of *the Government*, and nothing is more remarkable in the history of the early colonization of this country than the amicable relations which prevailed between the settlers and the Maoris, so long as Government did *not* interfere, and the immediate disturbance of those relations when it *did*. Again: when I look to the history of other countries, I find an analogous result. I cannot discover that the policy of the North American colonists (who were practically independent of England) towards Natives was either less humane or less successful than that which has been pursued at the Cape, in Australia, and in Van Diemen's Land, where the mother country has exercised despotic power. I hold, therefore, that the relations of colonists with neighbouring savage tribes, like every other matter of primarily local interest, ought to be left exclusively to the colonists themselves. The old policy—the North American policy—was right in this, as in almost every other point.

FAREWELL ADDRESS ON LEAVING NEW ZEALAND.

On Saturday the 18th December 1852 a farewell breakfast was given to Mr. and Mrs. Godley, on the eve of their departure for England. It took place in Hagley Park, in a capacious marquee which had been erected for the Horticultural Exhibition. One hundred and fifty persons, comprising all classes of the community, assembled to do honor to the occasion, and to testify their respect and esteem for their guests. A most excellent entertainment was provided, and Captain Simeon took the chair at 1 o'clock. After the usual toasts the Chairman read, and afterwards presented to Mr. Godley, the following Address :—

Canterbury Settlement, New Zealand,
December 18, 1852.

Sir,—We, the undersigned inhabitants of the Canterbury Settlement, having learnt with deep regret that your departure, which we had hoped would have been long deferred, is about to take place, desire to express in the warmest terms the high sense we entertain of the many and important services, both public and private, which you have rendered to the Settlement during your residence amongst us from the time of its foundation.

" We are anxious to convey to you this Public Testimony of the uniform urbanity, zeal, and earnest regard for the interests of all, with which you have for two years discharged a very responsible and difficult position; and to assure you, that, both by the ability and integrity with which you have administered public affairs, as well as by the example which you have set in private life, you have won our confidence and esteem.

" It is a matter of sincere and just congratulation, that you have been permitted to witness the undertaking, of which you were one of the chief promoters, crowned with so great a measure of success; and, especially, that the Government of this Settlement, and of the whole Colony, has been at length established, to a great extent in accordance with those principles which you have ever steadily advocated.

" We should deeply regret to think that the connection between us were now to be wholly severed; but we are persuaded you will never cease to feel a lively interest in the welfare of a Settlement with which your name has been so closely linked; and that, in any future measures which may be contemplated in England affecting its prosperity, we may rely upon a con-

tinuance of your services, to defend or advocate our rights and interests. Especially, in the final adjustment of the relations which are to exist between the Canterbury Association and the Settlement, we earnestly hope you will take an active part, as possessing the entire confidence of the great majority of its inhabitants, and being fully competent to express their sentiments and wishes.

"We desire at the same time to offer our acknowledgments of the part, in private life, which Mrs. Godley has borne with yourself, by influence and example, in conducing to the friendly feeling existing throughout our young community. We are at a loss how to pay a just tribute to her worth, but we cannot do less than convey to her the very sincere expression of our regret at her departure, and of the high esteem in which her name is held by all classes.

"In conclusion, we beg to offer, both to yourself and to Mrs Godley, our warmest and heartiest wishes for your future happiness and prosperity; and to assure you that, should you ever return amongst us, you will be welcomed back with the same cordial feelings of affection and respect with which we now bid you farewell."

After the reading of the Address, which was received with loud expressions of approbation, the Chairman called upon the ladies and gentlemen there assembled to prove, by the manner in which they would receive the toast he was about to propose, how entirely they concurred with him in the sentiments he had expressed to their departing guests. He then proposed "The health of Mr. and Mrs. Godley, and may health, happiness, and every blessing, ever attend them." He begged that this toast might be drunk with nine times nine, and as many more cheers as they chose to give.

Mr Godley, after the cheering had subsided, rose and said:—Ladies and Gentlemen,—It is at best a miserable thing to say farewell. That must be a desolate and cheerless spot, which a man with a heart in his bosom, after having long lived in it, can look upon for the last time without regret; and those must indeed be uninteresting or unamiable people of whom such a man, when he has mixed with them for years in familiar intercourse, can think without a pang that he will never see them again. How much more, then, must I feel, I to whom Canterbury has become a second home, dearer if possible than the first, I, in whose affection so many of its inhabitants have placed themselves beside my oldest and most intimate friends,

how much more must I feel at the thought, that taking the ordinary chances of human life into consideration, I may be addressing the people of Canterbury for the last time. Don't mistake me; I earnestly hope, nay, (if I may say so without presumption), I confidently expect to see you here again; I hardly know how I could make up my mind to leave you if I were not supported by the anticipation of visiting you again within a few years, of recalling myself to your recollection, and of exulting in the progress which you will have made during my absence. (Cheers.) But notwithstanding this consolatory hope, it is impossible for me to forget that human plans depend upon very many things besides human will; that man's life is precarious and frail; and that I, more than most men of my years, have cause to shrink from talking of what I will do years hence, or next year, or even to-morrow. When, therefore, I go to the other end of the world, with the intention of spending four or five years there at least, I cannot but feel a sinking of the heart and a dimness of the eyes, when I try to realize the thought of coming back.

I have said that Canterbury is to me a second home. Have I not a right to say so? It is true that I have never possessed, and probably never shall possess, an acre of land in it, and that I cannot be said, therefore, to have a stake in the country, in the ordinary, vulgar, sense of the word; yet I venture to say that no man ever had in a more true and living sense a stake in a country than I have in this. For the last five years, ever since the plan of founding a settlement of Church people in New Zealand was first suggested to me, I think I may almost say without exaggeration that the thought of it has hardly been for a moment out of my mind; I have become, for the time at least, a man of one idea, to which everything else, public and private, has been made subordinate. Almost every intimate friend I have in the world has been induced by me to take a part in this enterprize; whatever reputation I may enjoy, or look to enjoying, is bound up with its success; indeed, I have often felt as though if this Colony had proved a failure, I could never

again have had the heart and the courage to engage in any public enterprize. But this is not all; my affection is not, I can assure you, for the abstract idea of Canterbury alone; I have formed since I came here, relations of a far closer and more attaching kind. Nearly every inhabitant of Canterbury is, more or less, known to me as I am to them; with a large proportion, I had nearly said with the greater part of them, I have been in constant personal intercourse. I have watched the foundation and growth of nearly every house, the cultivation of every field, the progress of every crop, in the settlement, as if it were my own. I have superintended the construction of your public works, the building of your churches, the management of your schools. I have borne a part in all your political proceedings, and attended all your public meetings; in short, the affairs of this settlement have become part and parcel of my very life and being, to an extent which could hardly have taken place under any other combination of circumstances. All former local ties,—the ties of patriotism, of hereditary attachment, of early association, appear weak in comparison with those which bind Canterbury and myself together. No other country can ever be to me what this country is; no other people can be to me what you are. So that, when I meet you here to exchange farewells and blessings before we part, I feel rather like a man tearing himself from a family circle to which he was intimately and affectionately attached, than like an officer resigning a public trust into the hands of the community whose affairs he has administered. I am grateful, my friends, beyond what words can express, for the manner in which you have received me here to-day. This scene will live in my mind and in my heart to my dying hour. For any service which I may have rendered to you it is a rich reward. Indeed, if I had done twice as much, I should be more than abundantly repaid by this demonstration of your sentiments towards me. I thank God that I have been permitted to witness it. I am thankful, too, that my wife has been allowed to be present. I think I may say it will be an

epoch in her life; and that she will ever cherish, among the most precious treasures of her memory, a recollection of the attachment and regard expressed towards herself and her husband by the people of Canterbury on this day. I will not pretend to say that all this was unexpected by me. It is only in accordance with the kindness which I have ever experienced in this settlement. The duties which I have had to perform have been in many respects of a very invidious character. Having the whole responsibility of the public service on my shoulders, a great deal has been expected of me; more perhaps than under any circumstances one individual could have done; more certainly than under the actual circumstances I had the means of doing. Those who came to me with requests, suggestions, claims, seldom were fully aware of the difficulties which I had to contend with, and the restricted nature of my powers, so that I feel as if for the last two years I had been engaged in perpetually saying *no*, to people who thought they had a right to *yes*. Then, too, besides these unavoidable clashings and differences, I know I have many short-comings and faults to plead guilty to. I say so, not in the conventional language of one who is fishing for a complimentary contradiction, but solemnly and sorrowfully. There are many even here present to whom I ought to apologise for hasty words and inconsiderate recriminations; for indolence, carelessness, and ill-temper; many whose presence here is doubly grateful to me as an earnest of their forgiveness. But what I have been coming to is this; notwithstanding that I have held a position so invidious and so productive of occasions of offence and misconception, I declare to you that, on a careful retrospect of my intercourse with all of you, I can hardly call to mind one single expression of unkind or angry feeling towards myself personally. The allowance that has been made for me—the consideration shown to me, have, I assure you, often appeared to me almost incredible, nay, have often and often put me to the blush from feeling how little I deserved them. I take advantage, then, of this public opportunity of thanking most

sincerely the people of Canterbury for their uniform kindness to me, shown not only on the present occasion, but invariably, always, everywhere, both in my public and private capacity. If my life be spared, and if I am ever again engaged in the public service elsewhere, I may have in many ways, fewer difficulties to contend with; I may have ampler means, a less restricted authority, freer scope to follow out my own plans, and to act at my own discretion; but one advantage I well know I shall never have again in an equal degree; the advantage of having to deal with people disposed to receive any proposal of mine with favour; disposed to indulge rather than to cavil; disposed always, even whenever I most widely differed from them, to give me credit for wishing and endeavouring to do what I thought most conducive to the public good. Again, I am anxious to take this public opportunity of expressing my grateful acknowledgments to those gentlemen who have been engaged, in conjunction with me, in administering the colonial affairs of the Canterbury Association. In fact, I am the more bound to do so, as they have been the means of conferring on myself a great deal of undeserved credit. I know that visitors have often gone away from hence, loud in praises of the arrangements at our Land and Emigration Offices, of the excellence of our surveys and maps, and of the regularity of our accounts, and have spoken of them as though they were due to me. But the fact is, that, as you all know, my share in these matters has of necessity been exceedingly small. The credit which those departments have earned is due to the gentlemen who have had charge of them, and to whom the people of this settlement are more indebted than most of them are aware of. I may add, that it is a most gratifying reflection to me, that with one painful exception, I have not only never had occasion to dismiss any of the servants of the Association, but I have hardly ever had occasion to find fault; there has rarely been a difference of opinion among us; never, I believe, a single offensive or angry word. But I have said enough, and more than

enough, about myself, and my own feelings. I could not say less, in justice to those feelings and to your kindness; but I must not forget that time is passing, and that you ought not to be detained too long. Still I know you will, with your usual kindness, bear with me while I say a few words upon the position in which I leave the colony, which I have taken so active a part in founding. On the whole, that is, looking back at our enterprize *as* a whole, not dwelling upon this or that detail, not indulging in the plaintive truism that we might have done it better if we had had more experience; but looking on it, I say, as a whole, I am prepared to maintain not only that it was a great and noble enterprize, but that it has been successfully carried out. We have a magnificent colony in embryo, certain (humanly speaking) to prosper in a material point of view, as rapidly as any other colony of modern times, and to become within a man's lifetime, a great people; actually containing too within itself as much of the elements of high civilization as, I now believe, it is possible to plant in a new country, unless where some forcible instrumentality happens at a particular period, to expel from the old a large section of its people. We have a branch of the Church of England planted here, with a competent supply of clergy, and ample permanent endowments, although the Association, acting, I have no doubt, in ignorance of the value of land in a new country, have made a mistake in trusting too exclusively to land endowments, instead of reserving a fund to meet ecclesiastical expenses until they should be provided for out of those endowments. We have provision for the higher and lower branches of education to as great an extent, I now find, as there is an effective demand for, among a population situated as this is; we have, moreover, to the best of my belief, a more concentrated population, a larger proportion of resident proprietors, and consequently a greater demand over the appliances and civilities of society, than has been attained before, under similar circumstances, by agricultural colonists. At the same time that we enjoy these special advantages, there

has not been any difficiency in opportunities of profitable investment for capital, and of profitable employment for labour. On the contrary, considering the inexperience of the colonists, and among a large proportion of them the want of sufficient means to meet their habitual requirements, there have been wonderfully few instances of actual failure; wonderfully few instances of men who are unable to look forward, (through struggles, no doubt, and privations, but still to look forward) to an ultimate and certain competence. I know there are many who will not take this view, and who will feel perhaps more or less angry with me for expressing it, as though I insulted their disappointments. Yet, at the risk of offending them I must remind them that though there have been cruel and undeserved disappointments, there have been also many which were caused by people's expecting impossibilities. I don't blame them for it; for to a great extent, I did so myself, but such is the fact. They expected that such an edifice of civilization as it has taken many laborious centuries to build up at home, could be created in a few months out here; while they expected, in addition to this, that a capital, of which the interest would not have supplied them with the commonest necessaries of life in England, would provide for them and for their families, when invested in New Zealand, not only necessaries, but luxuries in profusion, without difficulty, or anxiety, almost without toil. I will not say that I have not been disappointed in many things myself. No man in this world can go through any enterprize that has greatness in it without being often and sorely disappointed, because nothing great is ever done without enthusiasm, and enthusiasts are always over-sanguine. When I first adopted, and made my own, the idea of this colony, it pictured itself to my mind in the colours of a Utopia. Now that I have been a practical colonizer, and have seen how these things are managed in fact, I often smile when I think of the ideal Canterbury of which our imagination dreamed. Yet I see nothing in the dream to regret or to be ashamed of, and I am quite sure that without

the enthusiasm, the poetry, the unreality, (if you will), with which our scheme was overlaid, it would never have been accomplished. This colony, full of life and vigour, and promise, as it is, would never have been founded, and these plains, if colonized at all, would have fallen into the hands of a very different set of people from those whom I see around me. Besides, I am not at all sure that the reality though less showy, is not in many respects sounder and better than the dream. Take for example that common notion which so many educated and intelligent people have of colonization, the notion that it will enable them to live a sort of careless, indolent, easy-going life, under their vines and their fig-trees, among their children and their flowers, to revel in the spontaneous plenty of an exuberant soil, and to enjoy all the luxuries of civilization without its responsibilities, its restraints, and its labour. This is the kind of life that many of us fondly dreamed of. I will not say that I did not sometimes dream of it myself. But would this, even if it were not out of the question, be a life worthy of a man—of an Englishman? Is the desire to fly from toil and trouble a worthy motive for civilization? Ought not our motive rather to be a desire to find a freer scope, and a more promising object for our toil and our trouble? We all know now that when men colonize, more perhaps than in any other walk of life, they have to eat their bread in the sweat of their face. But this is the advantage, and pride and glory of colonization. It is the corroding evil of old and highly-peopled countries, that in them whole classes, from the Sybarite peer to the work-house pauper, have this curse hanging heavy on their lives, that they have nothing to do; and this it is that justifies us in urging men to emigrate, that in new countries every man must do something, and every man finds something to do. I have seen here clergymen ploughing, and barristers digging, and officers of the army and navy "riding in" stock, and no one thought the worse of them, but the contrary. The principle then which it is the business of colonizers to assert, is the

nobleness of work—work of any kind, so that it be hard and honest work, and a sound and true principle it is, though it has its own dangers and abuses, against which colonists would do well to guard. But this is a digression. To return to what I was saying. There may have been disappointments among us to individuals, but on the whole, and to the community, there has been remarkable success; and I say with perfect confidence, that five or six years hence those who battle through the first difficulties will have no more to say about disappointments. I trust I shall be pardoned for quoting, in support of what I say, two or three cases which have come lately to my personal knowledge, and which I have no reason at all to suppose extraordinary or out of the way. There may be many more of a stronger kind, but these happen to have been brought before myself. One is the case of a gentleman, of good family and education, who landed in this colony with a land-order for 50 acres, and £300. He has now horses and cattle alone to the value of his original capital £300. He has built an excellent house, has 14 acres fenced and cropped, and owns 400 sheep and lambs, and, moreover, he does not owe a farthing in the world. The next instance is that of a man whose capital was still smaller. I am informed it was just £50. He too had 50 acres of land, and a large family, including two grown-up sons. I visited his farm the other day, and found the whole of it fenced in, and divided into five separate fields, all with substantial fences. He has a comfortable house, a particularly neat and well-cropped garden, two cows, with their calves, several pigs, and no less than 27 acres (including the garden) under crop; and I am happy to say, I never saw crops look finer or more promising. The third and last case which I mean to quote is this. I was told two days ago by a working mechanic—a man who had no money at all when he arrived, not a farthing—that he had saved and laid by in two years, from the labour of his own hands, no less a sum than £200. Such instances as these show that those who said that this colony would prove a fine field

for the exertions of a working man, said nothing but the truth; for I happen to know that there is nothing exceptional or peculiar in the opportunities or advantages which the men whom I have referred to possess; they have simply exemplified the rewards which honest industry can reap in a new country. I have little doubt but that success of a similar kind to this would have been to a still greater extent the rule among our colonists if it had not been for the discovery of the gold-fields of Australia. The check which that discovery has given to our growth has undoubtedly been very severe. We have felt it in the price of provisions, in the emigration of labourers, above all, in the difficulty and expense of procuring stock. But my firm belief is, that within a very short period you will begin to reap the benefit which must ultimately result from the neighbourhood of a country so enormously rich as Australia is becoming. If there be one point on which all those who have visited the diggings agree, it is this; that of the hundreds of thousands that have flocked thither from every part of the world, not one intends to live there. Every man intends to go away as soon as he shall have made money enough. No amount of money could tempt a man to make deliberately an El Dorado his home. Now, I cannot but look upon it as mathematically certain that a very large proportion of these people will come to New Zealand. You may depend upon it, the great majority of those who have come, even with the intention of returning to England, will *not* return. Experience shows, that when a man, especially a young man, leaves England, and remains for a few years in a new country, he does not care to go back again for good; somehow or other a new set of habits have been generated, not necessarily worse habits, but different ones, which make the thought of a permanent residence in an old country distasteful to him, and he will rather seek for the blessings of order and civilization, if he can get them, in a neighbouring colony, than in the old world, from which he has with such an effort uprooted himself. It is to be remembered, too, that precisely the best people among the immigrants into

Australia will be likely to leave it again soon, because the best people are the least likely to be satisfied with such a state of society as a gold-producing country exhibits. I see nothing, therefore, in the Australian gold-diggings to make me alter the sanguine view I have always taken of the fortunes of this colony, or to make me less satisfied with the part which I have taken in founding it.

It is impossible for me, my friends, altogether to abstain on such an occasion as this from some allusion to the colonizing association which I have represented in this country. The Canterbury Association has not escaped the ordinary fate of colonizing bodies in two respects at least; it has exceeded its means, and it has incurred considerable unpopularity in the Settlement it has founded. This result seems to be inseparable from the nature of such bodies; they generally manage badly, and they are always disliked for managing at all. Yet, without them, many of our noblest colonies would never have been founded, so that embarrassment and unpopularity are to be taken, I suppose, as part of the necessary burden which those who embark in the glorious work of founding colonies must be content to bear, and for my part, I will willingly take the one with the other; I am content to bear a share of the burden, if I may be permitted to bear a hand in the work. I am not about to defend the Association's policy in detail, but this at least you will pardon me for saying, (and I say so with the utmost confidence), that no body of men ever engaged in a public enterprise with higher or purer motives, or ever prosecuted it with greater zeal, energy, or disinterestedness. They have made plenty of mistakes no doubt; that, as I have said, was inseparable from their constitution as a distant governing body, and nobody has protested against what I believed their errors more strongly than I have; but if they have made such mistakes, the leading members of the Association have nobly done their best to redeem them by voluntary personal sacrifices, which no one had a right to demand at their hands. I know those men

intimately; they are not rich, any one of them; they were under neither legal nor moral liability to spend their private funds in the service of this Settlement; because, as you know, they were not in the position of a trading corporation, and they could not, under any circumstances, have made one farthing by its utmost conceivable success. Yet sooner than hazard the failure of the enterprise, nay, sooner than that funds should be wanting for its vigorous and rapid prosecution, they came forward cheerfully and simply, and without making a fuss about it, and paid sums, and incurred liabilities, which, in comparison with their means, were exceedingly, almost ruinously, large. Remember this when tempted to forget what they have done for you; remember that errors of judgment and calculation are venial, when redeemed by sincerity, earnestness, and self-denial.

I must just say one word about your new Constitution. I rejoice to see so lively and intelligent an interest taken in its working, but I clearly foresee that there will be a re-action and that there will be great disappointment with it at first. I clearly foresee that a great many of you, probably the best people among you, will be disgusted with the turmoil and agitation and strife inseparable from the working of a popular constitution, and disappointed because its beneficial results will in all probability not become very obviously or rapidly visible. But you must fight against this feeling. You must remember that we were never meant to enjoy quiet lives. Quiet lives are for beings of a higher or a lower nature than man's; for beatified spirits, or the brute creation. It is the business of man, and most of the noblest men, to work, to struggle, and to strive. Life is a battle, not a feast; and those conditions of existence are the best and the most wholesome, which must tend to strengthen and harden us for the combat. It is in this light that I have learned to regard and value political liberty; not primarily because it tends to promote material prosperity, ease, and enjoyment, but because by providing a

high object for our aims, and a noble field for our intellectual exercise, and by forcing us to take a part in matters which do not concern our individual selves alone, it tends to form a great and glorious national character. Try to work the new system with these aims, and in this spirit, and you will learn to exercise with satisfaction and advantage that most troublesome as well as most precious privilege, political freedom. Forgive me if I have seemed to speak in too presumptuous and didactic a tone. My approaching departure, and my deep interest in all that concerns you, together embolden me to express myself freely; and I know I speak to indulgent ears.

I must now offer my best and most cordial thanks, on behalf of my wife, for the manner in which you have received her to-day. She bids me say that she has to thank the people of Canterbury for two of the happiest years of her life; she bids me ask you not to forget her, as she can never forget you; she bids me say that she never could have believed she would have felt such sorrow as she now feels, in parting from any country but her native country, from any people but her own people. But it is time for me to stop—if I were to go on till I had said all that I want and should like to say, till I had expressed all the fulness of my heart, I feel as if I should hardly ever come to a conclusion. But the parting word must come—that word which I have been dreading to pronounce—farewell. God bless you and prosper you. God grant, if it be His pleasure, that we may meet again on earth, and that whether we meet on earth or not, we may meet in the everlasting mansions of His kingdom.

Mr. Godley resumed his seat amidst loud cheers, a great portion of the company being deeply affected by his parting words.

Mr. and Mrs. Godley, accompanied by several personal friends, embarked on board the "Hashemy" on Wednesday morning soon after 7 o'clock; it was not, however, until the following morning that the "Hashemy" left the harbour, having been detained by a contrary wind and calms.

DISPATCHES.

TO THE COUNCIL OF THE LAND PURCHASERS' SOCIETY.

THE following letter to the Secretary of the Land Purchasers' Society was written in answer to one addressed to Mr. Godley by the Council from London. The Land Purchasers arrived in the Colony on the 16th December, and Mr. Godley answers the letter on the spot on the following day:—

LYTTELTON, *December* 17, 1850.

SIR,—I have received a letter from you dated 1st August, in which you inform me officially of the appointment of a Colonists' Council, and request me to enter into communication with it as the organ of the wishes of the body of colonists. In acknowledging your letter I take the opportunity, in the first place, of expressing the satisfaction with which I have received the above intelligence; and in the second, of explaining to you the views which I hold generally upon the matter to which it refers.

I consider myself, as I need hardly say, to be placed here, not merely to act on behalf of the Association as I may think best for the interests of the colonists, but to do so subordinately to their expressed wishes. I hold not merely that the interests of the Association are identical with yours, but that, as a general rule, it is for you and not for me to determine how these common interests may best be consulted; while I am ready, therefore, to bear the full weight of responsibility which properly devolves upon me as an executive officer: and further to exercise my discretion as to the cases which may possibly arise in which I may be compelled to act independently of you, I repeat, as a general rule admitting of very rare exceptions, that I shall guide myself by your directions, so long as I shall be satisfied that your body does really and adequately represent the land purchasers of the Settlement.

It is their money of which I am entrusted with the expenditure; it is their interest which is primarily involved in the extent and mode of that expenditure; I am here solely for the purpose of serving them, and they ought to know how I can serve them best. I shall, therefore, habitually consult the Colonists Council, and through them the body of purchasers, upon every point of importance which may come before me; and I shall afford you, at all proper times, access to the accounts of the Association, and to all documents which may be necessary for your information in forming a decision on such points.

Although the explanations which I am now about to make have no immediate connection with the special subject of this letter, you will, I am sure, allow me, as I am now addressing you for the first time, to say a few words upon what has been done, as well as on what is proposed to be done, by the Association here. Personally my responsibility may almost be said to date from your arrival only, as until that time I have had neither means nor opportunities of effecting anything, or hardly anything, except the stoppage of an expenditure which had exceeded its proper limits. But I should not be acting fairly or generously towards my predecessor if I forebore to express my opinion that in most difficult circumstances he exercised generally a wise discretion in the conduct of his operations: of course to every detail of his management I cannot pledge myself; but I repeat that, speaking generally, I can hardly find language strong enough to do justice to his merits,—merits which it requires some experience of the difficulties of getting work done in a new country adequately to appreciate. In connection with this matter, there are one or two points of detail which I understand have caused some discussion among the colonists, and on which I wish to make a few observations. One, is the limited amount of lodging accommodation available for the passengers of the ships chartered by the Association: the other is the difficulty of procuring means of conveyance to the Plains. Now, with respect to the

first of these points, I submit with confidence to the calmer consideration of the colonists, whether it would have been wise or right to expend a very large portion of their funds in the erection of buildings suitable to a purpose so essentially temporary as immigration barracks. The chances are very great, perhaps as fifty to one, that we should never be required to find accommodation for more than the passengers of two ships at a time: if the ships had arrived at intervals of a week or ten days, there would have been no difficulty and very little crowding. That such would be the case was infinitely more probable than the reverse; and we were bound to act on probabilities, and to act as seemed most likely to give the most accommodation at the least expense. If we had acted otherwise, and if as might reasonably have been expected, no occasion had arisen for using the whole accommodation provided, I cannot but think that much greater dissatisfaction would have been felt, and with much more reason, at the needless reserve of land and at the extent of an outlay which would have been utterly thrown away. The question being between a possible temporary inconvenience and a certain ultimate loss, it was preferred, as I think judiciously, to run the risk of the former, and though unforeseen circumstances have realised the contingency of inconvenience, I have no hesitation in appealing to the good feeling and good judgment of the colonists upon the propriety of the course pursued. I will only add one word upon the point of assurances of adequate accommodation said to have been given by the Association in London. Now, I cannot know exactly what was said, or what impression prevailed in London on this point; but I presume that the answers to enquiries of this kind were given in the only way in which information can be given at a distance of 16,000 miles, in other words a six months' voyage, from the scene of action; that is by an expression of belief and expectation, by a conjecture in short which may turn out more or less well founded.

If a fire or an earthquake had destroyed the Barracks before your arrival, no one would have accused the Association of not

fulfilling its promises if accommodation had been wanting; upon the same principle I submit that they ought not to be blamed if they spoke on the subject with a confidence which would have been justified by the event, had not a contingency not at all less improbable than a fire or an earthquake (namely the arrival of three ships within twelve hours) actually occurred.

The other point to which I refer is the difficulty of procuring boats. I have been repeatedly asked why the Association did not provide boats, and charge freight for goods, so as to prevent exorbitant charges. Now, the answer which I have been compelled to make involves a general principle of great importance. I cannot attempt to enter into the carrying trade with public funds unless I am prepared to undertake the whole of it; no axiom in mathematics is more certain than that private parties would never enter into competition with an amateur Association, dealing with public money: no exertion would be made to procure boats by any body else, if the Association were to engage that boats should be procured without exertion. I had therefore to determine whether I would leave the whole matter to private speculation, or undertake to convey all the goods of the Settlement between the Port and the Plain. Now, I have calculated that within the next few months there will probably be a demand for the freight of at least 10,000 tons of goods per month between this place and the Plain, and I certainly did not feel myself justified in embarking upon a speculation so extensive, so costly, and so hazardous. I had no means for it, I had not boats nor crews, nor money to buy and hire them; if I had had them I should necessarily have done the thing very badly, and I should have squandered means on which there are plenty of more legitimate demands. I thought it far better to let it be known that in the matter of freight as in that of provisions, wood, and every other necessary for the Settlement, I would not interfere, but would leave prices to find their own level, confident that nothing but temporary difficulty, and consequent high price,

will stimulate persons to use the exertion necessary to overcome the difficulty and lower the price. Having thus, however, given my own opinion on this subject, I am willing in conformity with the rule which I have laid down, to yield to the clearly expressed wishes of the colonists, and will undertake if they require me, to do my best towards conveying goods and passengers from hence to the Plain. I confess that I am exceedingly anxious that they should not require me to do so. I wish to devote the whole of my available means to the completion of the road to Sumner, which the Chief Surveyor informs me he hopes to complete, if the funds be supplied, before the end of the summer. Now, as you are probably aware, the means at my disposal are very limited, the land sales having fallen far short of repaying what has been already expended; indeed, if individual members of the Association had not consented to become personally responsible for advances made, I should have hardly any means at all. If, therefore, in accordance with the wishes of the colonists I were to embark on behalf of the Association in the carrying trade, it would be obviously impossible for me to proceed with the road. The same principle which I have stated with respect to boats applies to the case of wharfage and storage. If I continue to land goods gratis at the store, not only will no fund accrue for keeping the buildings in repair, and for paying the salaries of proper superintendents, but it will be idle to expect that private parties will put up jetties or stores for the convenience of the public, unless after the demand shall have largely exceeded the supply afforded by the Association. I therefore propose to charge, after the immediate hurry of the first disembarkation is over, the ordinary rate of wharfage and storage, I shall thus be enabled to keep the wharf and store properly maintained and superintended.

The only Public Works which I think it at present desirable to undertake besides the Road, are a Land and Survey Office and a small Immigration Barrack at the chief town.

I have now, I think, treated of all the points which have

been, or are likely to be, subjects of interest or discussion among the colonists. The unreserved manner in which I have done so, will, I hope convince them that my first wish is to act in harmony and co-operation with them, and above all things to discuss and explain fully and freely every matter upon which there may be a difference of opinion. I am anxious that there should be no secret dissatisfaction. I wish as many opportunities as possible to be afforded for speaking out, convinced that where both parties mean well the best chance of coming to entire agreement is by promoting fair and amicable discussion.

I cannot conclude without thanking you most heartily and sincerely for the kind manner in which you speak of myself personally, and expressing a cordial hope that our intercourse may continue to the end unclouded and friendly as it has begun.

P.S.—I did not think it necessary to say anything in the former part of this letter upon the question of the Reserves laid off for the Association in this town, because I do not believe that it has been raised among the colonists here; but as some stress seems to have been laid upon it by the Association at home, I think it may be well not to leave it unnoticed.

The Committee, while leaving with me a discretionary power with respect to the whole matter, intimate generally their wish that I should allow the land on which their buildings—*i.e.*, the immigration barracks, the store, the boat-houses, and the agents' house are erected, to be given up for selection. After consulting some of the leading colonists on this point, I consider it so clearly for the public interest that the land should be retained that I have determined to take the responsibility of retaining it; nor do I think it a point which it would be fair or proper to refer to the whole body of colonists after the orders of choice are drawn and known, because the question being obviously between the interests of the two or three first holders and the rest of the purchasers, to appeal upon it to a

general meeting would be merely a formal proceeding adopted for the purpose of relieving myself of responsibility.

If I had permitted one or two persons to select the land on which the Association's buildings are erected, the result would simply have been that they might have made their own terms with us; we should have been completely in their power; the land is necessary for the conduct of our operations, a large sum of money has been laid out on the hypothesis that it was to be reserved, and, knowing all this, they would have at once perceived that we should have been compelled to pay them any rent they chose to ask sooner than, at such a time as this, permit our buildings to be pulled down. I do not believe that there is a single land purchaser who would wish that the funds of the Settlement should be thus permanently burdened for the sake of assuring an exorbitant income to one or two fortunate individuals. On the other hand, the Reserves as they now stand are public property, which may be sold and the proceeds applied to the general good, if at any future time it may cease to be required for the present purposes.

TO THE CANTERBURY ASSOCIATION.

Out of a large number of Dispatches written to the Chairman and Secretary of the Managing Committee of the Canterbury Association in London upon miscellaneous subjects connected with the public business of the Settlement, the following extracts have been selected which may serve to explain Mr. Godley's views upon matters of more general interest, political and social:—

Lyttelton, *January* 18, 1851.

I think I have not sufficiently explained the grounds on which I acted in acceding to the desire of the colonists, and declaring Christchurch the capital. In the first place that desire was unanimous and clearly expressed, and I agree with the Committee in thinking that on such a point the colonists' opinion ought to prevail. Again, the site of Lyttelton affords

no possibility of giving town sections to the purchasers possessing a right to them, except by considering and allotting as town sections land nearly inaccessible and utterly unfit for building purposes. The supply of water is very scanty, and it is impossible to say whether it could be procured in abundance by sinking wells in the higher parts of the town. The general appearance and impression of the town are disagreeable; it is confined, hot, difficult of ingress and egress; in short a place which, though it cannot fail to be of great mercantile importance, is incapable of extension to the limits required for a seat of Government, and for the residence of a large and wealthy population. The argument that if an inland capital be fixed upon, a road, bridge, &c., will be required is just as telling the other way; for a communication between the country and the chief town is surely quite as important as one between the chief town and the port. To make the port the chief town, and allow it to remain cut off and isolated from the Plain, would, as it appears to me, be worse than to have the Plain *and* chief town cut off and isolated from the port. But the fact is that whatever distribution and arrangement of localities we may make, the road is an object of urgent and primary necessity. Without it, as I have repeatedly stated, this district can hardly be considered as fit for settlement, and I do think we are bound, in justice to the colonists who have come out believing that the Plain is easily accessible from the port, to find means, if by any possibility we can do so, for its completion. I do not see the necessity of making at present any large addition to our public buildings, in consequence of the site of the capital being fixed at Christchurch. A land survey office, and a small barrack, part of which may be used as a store, are all that we want for the conduct of our operations, and both would be necessary in the Plain, although the chief town were situated on the harbour. A school and a church will be required, no doubt, but only because there will be, or, rather, if there be, a considerable population there, a population which

would have to be provided for wherever it congregated itself. For a considerable time to come Lyttelton will be the more important place, and therefore the most proper seat of our principal offices, stores, &c.; but when the growth of population at Christchurch and on the Plain shall make it desirable to transfer them, the move will be an exceedingly advantageous one in a pecuniary point of view, for the price of the land which we shall then be able to dispose of here will very far more than suffice for any additional outlay which may be necessary elsewhere. My idea is that having satisfied the claims of purchasers to town sections, we have in fact but little more to do with the making of a capital. It is very possible that we may not have selected the best place for it; time only and the evidence which time will elicit by the tendency of settlement and the discovery or development of natural advantages can show this—in short the capital will make itself, and it would be extremely unwise to incur a large expense in the erection of buildings round which perhaps no proportionate population would gather. Upon this idea I shall proceed; a short time will show whether Christchurch or some other place will be the capital of the Plains; and in the meantime I shall not expend any money on buildings which are not absolutely necessary. While upon this subject, I beg the instructions of the Committee with reference to a point the decision of which may involve some modification in the terms of purchase, and even in the Act of Parliament. By these, as they at present stand, I am compelled to lay out 1000 acres as nominally town property. I have done this, but by doing so I have been obliged to interpose a very broad belt of unoccupied land between the rural sections and the town. This land can never (or not for a long and indefinite period) be sold at the price of town land; I should be very glad therefore to be empowered to sell it by auction at the upset price of £3 an acre. If it be sold at the fixed price of £3 an acre, some dissatisfaction will no doubt be excited at its not having been thrown open to the first body: if the town land price be

adhered to, it will remain unsold, involving the inconveniences incident to the interposition of unappropriated land between portions of a settled country.

It is impossible for me as yet to say whether there will be a sufficient number of labourers for the capital of the Settlement, because, until purchasers shall be in possession of their land, the amount of the demand cannot be ascertained; but I do not anticipate any deficiency in the supply. Nor can I describe accurately the exact extent of road now finished, partially it is finished the whole way to Sumner, but there are impassable spots remaining at intervals, so that there is no part except the first half mile out of town available for transport. So essentially necessary do I consider the Christchurch road to the prosperity of the Settlement, that if the local Government had not pressed me for a re-payment of the advances made two months ago, I should have ventured to proceed with it, even at the risk of spending more money than the amount of sales would under other circumstances justify me in spending; but, that re-payment having been insisted on, my funds are too much exhausted to permit of so large an expenditure, unless the ships now due bring a further remittance.

I have devoted one Immigration Barrack altogether to the purposes of a temporary school and place of worship. It seems peculiarly well adapted for them, and will save the necessity of any immediate outlay on permanent buildings. The Bishop of New Zealand has expressed his disapprobation of the plan of making Nelson a part of this diocese. He wishes that a third diocese should be formed, to include the Nelson and Wellington districts, and that in the meantime the Southern Diocese should commence at the northern extremity of the Canterbury Block. In all other respects he has evinced the most cordial approbation of and sympathy for all our proceedings, and has formed apparently a highly favourable opinion as to the future progress of the Settlement.

I have already intimated that the Governor-in-Chief

expressed in general terms his wish and intention to appoint Canterbury colonists to the civil offices of the Canterbury Settlement; in some instances that intention has been carried out, but in answer to my application in behalf of a colonist for the office of postmaster, I have been officially informed that a duly qualified person will be sent down from Wellington. I am not in a position at present to make suggestions as to the precise form which is best adapted for our civil institutions. Upon this point the proceedings of the Wellington and Nelson colonists, an account of which will go to England in the same ship as this dispatch, will no doubt afford valuable hints; but the inhabitants of this Settlement are too much occupied just now by the pressure of private business, to devote the necessary attention to public affairs, nor in fact have I time to think of anything but the routine of my multifarious duties, as agent of the Association and representative of the Government. Within a very short period, however, I trust that public attention will be called to local politics. My general views upon this subject, I believe, are known to the Association, and conformable to those entertained by most of its members.

There is, however, one point on which the Committee will perhaps pardon me if I make a few observations. It has reference to the franchise. I have observed, with considerable regret, that the Wellington and Nelson settlers have expressed an opinion in favour of universal suffrage. Now, it appears to me that to a country like this, which on the one hand is so much frequented by some of the very worst kind of population in the world; and where, on the other, every man who exercises ordinary industry and intelligence may acquire property in a very short time; a moderate property qualification is peculiarly applicable as a test of fitness to possess political privileges. Nor do I think that its adoption at the first introduction of self-government would lead to discontent in any class of the population, although I do think it would be impossible to raise the franchise after an opposite system had been

in operation. This question of franchise seems to me the only one of detail which it is very important for the home Government to decide. If the constituent body were formed, and if proper powers of local self-government were given to it, all other local questions would naturally and finally be decided here—such matters, for example, as you allude to with respect to the formation of Hundred Courts, &c., which it seems to me altogether out of place to consider and settle in England, where the habits of this people and the circumstances of this country are very imperfectedly known, and excite very little interest or attention.

LYTTELTON, *January* 24, 1851.

There is hardly a chance of letting pasturage, except, perhaps, in a very few specially favoured localities, on such terms as I am bound to propose. In the first place the rent is too high; but secondly and chiefly, there is no security whatever for improvements. Now, if there *were* such security, possibly stock-keepers might be induced to pay the high rent, but without the security, I really feel a difficulty even about asking it. Immediately outside our block as much land as is required may be had without any payment, or at a merely nominal rent, and unless we have some special inducement to offer, we cannot expect that any one will prefer our side of the boundary. I submit to the Association that it is quite impossible for them living in England to fix the proper terms and conditions of pasturage licenses in New Zealand, they do not know the quality of the land to be let, or its position, or (what is of more importance still), the *comparative* inducements to stock holders which other accessible districts offer, in short, any of the circumstances which determine the market value of the pasturage. These are matters which it would be far better to leave for determination *here*, either by their agent

or by some other competent authority. Let the rent be moderate, and above all let the license give such security for improvements as is involved in the "pre-emptive right," and I have no doubt that we shall soon see our plains covered with stock. But if the rent of 20s. per 100 acres, without security be adhered to, I am much mistaken if we see a single head upon them except the few which will be owned by purchasers. If I were asked to name a rent I should say 10s. per 100 acres would be amply sufficient. Some land may be worth more, and will be quickly picked up; but *average* land will *not* be worth more, and to prevent jobbing as well as for other reasons, it is better to have a fixed rent for the whole.

LYTTELTON, *February* 28, 1851.

I have made two exceptions of no great importance or amount to my general rule of not engaging in any mercantile adventure. One is the purchase of a small schooner which I have made with a view of reducing the exhorbitant fares between Lyttelton and Sumner; fares which, though I have now left them to the ordinary course of trade for nearly three months, have showed no tendency. Twenty shillings per ton are now charged for taking round goods about six miles, *i.e.* nearly half as much as is paid from London to New Zealand.

This case has appeared to me so flagrant as to constitute an exception to ordinary rules, and there is not the smallest doubt but that, barring accidents, the schooner will pay herself in a year.

The other speculation I have made is in coals, which I had a good opportunity of bringing down under the ordinary price in a cattle ship, and which it is exceedingly desirable to bring before the notice of the people here immediately, as wood will be excessively dear in the winter; and I have seen no probability of coals being introduced in the ordinary course of

trade. When they shall have been once tried, no doubt orders will be given and consignments made by private parties to the required amount. I have ordered 100 tons at £2 per ton.

LYTTELTON, *March* 18, 1851.

The Committee have so repeatedly done me the honour of requesting that I would give them my opinion freely upon the political and social questions with which this Settlement is concerned, that I hope I need make no apology for writing to them at some length and with considerable freedom on the most important of those questions, namely, the relation which now exists, and which ought to exist between the Association and the colonists. I do so in the full recollection of the minute dated May 24, 1850, which treated of the same subject, and my object is rather to press for a speedy and complete application of the principles therein contained, than to suggest any important change in or abnegation of them. To the objection that may possibly be raised, that in mooting a question so delicate and so momentous I am unnessarily disturbing a quiet and satisfactory state of affairs, I answer that my main reason for mooting the question now is that everything *is* quiet and satisfactory; that so far as I know no complaints have been as yet made with respect to the administration of the colonist's affairs; and that, consequently, it may be considered in a calm, impartial, and friendly spirit. I also think it infinitely better that the discussion should originate with me than with the colonists. If it had been otherwise they would have found it very difficult to avoid at least the appearance of complaint and opposition, whereas, coming from the agent of the Association, the discussion will appear in its true light as one on the practical details of carrying out a principle on which both the parties are fully agreed.

You will see from the various dispatches and documents which I have sent home that I endeavour, as far as circum-

stances will permit, to act in concert with and subordination to the Council of the colonists, as it was constituted immediately after landing, and, pending the constitution of a better system of relations, I intend, by laying my accounts and estimates before them at stated periods, and requiring their approval of them, to bring the administration of business as far as I can within the sphere of their responsibility and control. But I cannot conceal from myself that this submission on my part will not be by any means satisfactory in its practical results so long as it remains voluntary. The colonists will never apply themselves with real earnestness to the conduct of public affairs, until they feel their power over it to be paramount; until they know that if they do not look after their own interests no one else will, above all until they have the privilege and the burden of appointing the officers by whom their affairs are to be conducted. While I and the subordinate agents of the Association are practically independent of the colonists as regards our appointments and salaries, and while we are in the habit of receiving instructions from a distant and irresponsible authority which no opposition on their parts can prevent us from carrying into effect, I believe it is not in human nature that they should be satisfied with the mere privilege of having their advice asked without any guarantee that it would be taken. Indeed I should be very sorry if they *were* so satisfied, for I should consider their satisfaction as a symptom of unfitness and inability to do for themselves what they were content to let others do for them. Every day, too, I feel more and more strongly the inexpediency, not to say absurdity, of the attempts which are made in one form or another at home to direct the government of colonies from a distance, and in ignorance, and without either personal interest or the part of the governors, or responsibility to those who have it.

That the detailed regulations for the disposal of land and pasturage, the statutes of colleges and schools, the arrangements of courts of justice, the investment and distribution of

church funds, and a thousand other similar matters, should be sent out from England ready made and fixed beyond the power of alteration on the spot, is to my mind utterly fatal both to the judicious management of those matters, and (what is perhaps still more important) to all confidence in the management of them on the part of the colonists. Every thing that goes wrong (and of course as we are all human, things will be perpetually going wrong) will under such circumstances be attributed to the distant governing power; the fact of emanating from that power will be sufficient to condemn the best and wisest measures, and discontent and dissatisfaction once sown will rapidly become habitual, traditionary, and paramount to every other feeling of the colonial mind. All this has been said repeatedly before. Indeed it is only another expression of opinions similar to those which the Members of the Committee themselves have always entertained and advocated; but I assure you that what I see daily occurring around me illustrates its truth so strongly, that I do not like to lose any opportunity of impressing it on their minds.

That the state of affairs at Canterbury should continue to exemplify the evils of distant government would be felt by me as peculiarly humiliating. We are deeply pledged to the principles of local administration, and we have no right to forget that those principles are violated quite as much by the Canterbury Association as by the Colonial Office. I am aware that the financial position of the Association, complicated as it is by private guarantees, has hitherto afforded a valid reason for preserving in the hands of those who have provided pecuniary resources a control over their expenditure. But I am anxious that the Association should recognise and avow *that* as the sole ground for the maintenance of a distinct Government, and resolve that at the very first moment when its public assets shall cover its liabilities the Charter shall be transferred to the colony. Its mission was to found the Settlement, not to govern it; to constitute sources of revenue, but not to administer or dispose of that revenue. In short, from the

moment the Settlement can provide for its own expenses, its authorised representatives ought to possess the virtual management of its affairs. As to the mode in which the transfer ought to be effected I do not anticipate that there will be any difficulty or difference of opinion; it has been already suggested in a very precise and distinct manner in the minute referred to. I presume that some kind of municipal constitution will almost immediately be given to the colony, and if it be of such a kind as that it ought to be accepted for general purposes, then I cannot doubt but that the Association will see the desirableness of transferring at once its powers and duties into the hands of the regular government which such a constitution may establish. That the two authorities should go on together without clashing is utterly impossible. If there were any government machinery in active operation here now, the existence of such a body as the Canterbury Association within its jurisdiction would be an anomaly too great to endure for a month. It is only enabled to do its work by the wisdom and considerateness of Sir George Grey, who has hitherto practically given to its officers nearly the whole administration of public affairs. Everybody feels that its privileges and position would be found quite incompatable with the due supremacy of a regular and effective Government, and I earnestly trust that the experiment may never be tried even for the shortest period.

It is unnecessary for me to show how easily the transfer of the Association's powers to a local Government would solve the financial complications to which I have alluded should they unfortunately still exist at the time of such transfer. The property of the Canterbury Association in the Settlement alone, independently of the valuable privileges which it would have to give up, is quite sufficient to meet its own liabilities; and the local government would most willingly discharge all the liabilities in consideration of obtaining the property and the privileges. If for any unforeseen reason the establishment of a municipal constitu-

tion be unhappily delayed, or if though formally established it be one which the colonists shall refuse to ratify or accept, I still think that the Charter of the Association ought to be immediately transferred to the colony, and placed upon the basis of property and residence; and I also think that in such case also any difficulty with respect to private guarantees can be easily met by making available the colonial property of the Association. In either case it would, of course, be necessary to provide for a continuance (during a stated period) of that appropriation of the land fund on the faith of which the first colonists have come out: for this, I think, that if the Act of Parliament already passed does not provide sufficiently, it might be made to do so by a very slight alteration.

I feel sure that in considering this vital question the Association will not be led away by the notion that the colonists are not ripe or fit for self-government. This is a delusion which cannot too soon be got rid of; they are perfectly fit to manage their own affairs now, at least infinitely more so than a London corporation can possibly be, whatever may be the talents and goodness of its members; but I think it very probable that they may become comparatively unfit for it if left long without it. The same evils which have become so fatally notorious in all dependencies governed under the central system will not fail to appear here; indeed I see already manifold signs of their approach. We shall be divided into factions of a kind peculiar to colonies (if a complete change of system do not take place), in spite of every effort on my part to avoid giving ground for such a division. We shall see the old drama enacted of an irresponsible party in place on the one hand, and on the other an opposition gradually enlisting the great mass of the people in its favour; so that when the ultimate abdication of the central power, which circumstances must render necessary, takes place, it will be, if postponed, compulsory and ignominious, instead of being, as it would now be, the spontaneous assertion of a great principle.

In writing on the general question of self-government, it is

necessary that I should not omit referring to a point of great importance which is intimately connected with the subject of the foregoing remarks;—I mean the ecclesiastical and educational endowments provided for in the Canterbury scheme.

It is plainly out of the question that the General Government should become the trustee of these endowments, as we can have no assurance that it would, in its corporate capacity, have any sympathy with the Church, or evince any care of its interests. If, therefore, the Association could find no better assignee of its present powers and duties relative to the Church in the Settlement, it could have no alternative but to retain them in its own hands even after the abdication of its secular functions. But it seems to me that the time of such an abdication should form a most fitting opportunity for effecting a great and practical reform which has become essentially necessary on other accounts, namely, the establishment of an independent ecclesiastical corporation with a proper constitution. There will be here, if nothing unforeseen occur to prevent it, a very considerable, perhaps a very large amount, of property devoted to church purposes, the disposal and control of which will carry with them a corresponding influence, not only in ecclesiastical affairs, but in every part of our social system. If things remain as they now are the whole of this influence will practically reside with the Bishop of the Diocese. The only person competent to exercise any check upon his absolute will is the agent of the Association; and I entirely agree with the Committee in considering that, except as regards the amount of expenditure permitted by disposable means, it would be highly improper for the agent to interfere in the administration of ecclesiastical affairs. The only ground upon which he could, in my opinion, attempt to justify such interference would be the assumption of his representing the body of Churchmen in the Settlement in the absence of any better representative; and this assumption would, I think, be entirely unfounded while the relation between the Association and the colonists remains on its present footing. It is only, therefore,

so long as the Association provides means for defraying current ecclesiastical expenses, *i.e.* so long as the expenses exceed the revenue derivable from fixed ecclesiastical endowments, that the agent of the Association will or ought to have any voice or right to interfere in Church matters at all. Ultimately I repeat, and I hope soon, the disposal of funds and the exercise of patronage, in other words, all the influence accruing to the Church from secular sources, will be in the hands of the Bishop alone, because he will be the only organ or representative of the Church. But I am perfectly certain that a regimen involving permanently this result would be iminently unsatisfactory to the colonists, and very prejudicial to the welfare of the Church. Nearly all the reasons which induce me to wish that the administration of secular affairs and the disposal of the miscellaneous fund be immediately handed over by the agent of the Association to the settlers themselves, enforce the desirableness of giving to the Churchmen among the settlers a corresponding control over Church affairs and Church revenues. Of course in any scheme for carrying out this view, care should be taken to give the Bishop a large, perhaps the largest, share in the government of the Church. I am arguing not against episcopal authority but against episcopal absolutism, and in doing so I am actuated quite as much by a regard for the interests of the Episcopate itself, as by a jealousy for the rights of those subject to its jurisdiction. It is exceedingly satisfactory to me to feel convinced that the general views which I have here attempted to express are approved of by the Bishop of New Zealand and by the Bishop Designate of Lyttleton, both of whom have seen this dispatch and expressed their approval of its contents. Not only, therefore, as a necessary incident to any plan for transferring the Charter of the Association to the colony, but as an urgently needed measure of internal Church Reform, I would impress on the Association the extreme desirableness of procuring for the Church in Canterbury a Charter of ecclesiastical liberties. For so doing, as I before said, the surrender of the Associa-

tion's powers, privileges, and property to the local government, would seem to afford a peculiarly fit opportunity. It ought, I think, to be made a primary condition of such an arrangement that the Church in the Settlement should be constituted by the Legislature an independent corporation with the full power of making bye-laws for itself, and disposing of its own property like any other corporation. Of course the settlement of a franchise, or the test of Church membership, as well as the appointment of power among the various orders in the Church, would be essential parts of that arrangement; indeed it appears to me that they would constitute the only questions incumbent on the Association and the Government to settle with relation to the Church. Every thing else might safely and ought properly to be left for the Church itself when constituted to settle. If any difficulty such as I have before alluded to should occur to prevent the establishment of a local authority competent to make such an arrangement as I have supposed, I cannot but think that a makeshift or temporary plan might be devised, based upon the principle which I have been advocating, which would at least be an improvement on the present system, and which might be ratified and carried into effect by the voluntary agreement of the parties concerned. The subject matter of such an agreement would be primarily the disposal of that portion of the land fund which belongs to the Church; but indirectly it would affect to a great extent the management of all the ecclesiastical affairs in the Settlement. Thus a division would practically be effected of the Association's functions into two parts, the Secular and the Ecclesiastical. Such a division as it would in fact be necessary, or at least very desirable, to make if the Association remained on its present footing; because there is nothing in the constitution to guarantee its preserving a Church character, nor is it in any way fitted to administer Ecclesiastical affairs. That the Committee feel this is evident from the delegation they have already made of practical control over their ecclesiastical fund to the Bishop Designate: the only

question, therefore, which remains is whether the body of churchmen in the Settlement ought not properly to have a share of that control.

An incidental advantage of great importance which would accrue to the Settlement from placing the land fund under the control of the local Government would be, that thereby the system and regulations now governing the disposal of land within the Canterbury Block might in that case be extended over the whole Province of which Canterbury would be centre, and which would of course embrace very much wider limits than those of our district. I already feel the inconveniences and evils of the narrow scope within which our jurisdiction prevails, and as the district becomes filled up our operations will be very seriously impeded by the immediate neighbourhood of land administered and disposed of on totally different principles. In order that this anomaly may be removed, if for no other reason, it is highly desirable that a constitution of our Province should be made, and uniformity of land regulations established over it, before the land outside and adjoining our block shall have found its way to any considerable extent into the market.

In the foregoing observations I have abstained from offering any suggestions as to the precise form or mode in which the transfer of the Association's powers ought to be made. In fact, without more legal knowledge than I possess, suggestions on this head would be of little value. I will just remark, however, that the plan apparently contemplated in the "Minute" of keeping the Association in existence after the constitution of a local Government, for the purpose of watching over the application of it's land fund to their proper objects by the Government, does not appear to me the best plan that could be devised for effecting the object aimed at. It would involve, in the first place, the preservation of a cumbrous and expensive machinery; and in the second, the existence of that discretionary power in the distant authority which I have before remarked as operating so prejudicially on the reality

and earnestness, as well as on the harmonious action of local self-government. I cannot but think it would be far better to procure, if possible, an Act of Parliament whereby the local Government would be directly invested with the powers, and saddled with the liabilities, conditions, &c., which, according to the Canterbury Settlement Act, the Association now has. The powers of supervision, now exercised by the Crown over the Association, might apply to the local Government; in fact the new Act might be a repetition of the present one, with a mere substitution of the words "Local Government" for "Canterbury Association."

With respect to the case of transfer to a local body not being a government, the best plan perhaps for such a temporary and provisional arrangement would be that of simply making all land purchasers members of the Association, and allowing them to hold their meetings here instead of in London. The Association would then continue to exist precisely as it does now as regards form, only that the seat of management would be local instead of distant. This plan, however, though it might answer for a time, would be liable to grave objections, inasmuch as it would tend to produce a very dangerous antagonism between the land purchasers and the other inhabitants of the Settlement: the only satisfactory mode of removing all difficulties will be to merge the Association in the Government. In either case the constitution of a trusteeship for Church purposes ought to form an essential part of the scheme.

In conclusion, I have only to repeat that I consider the immediate and complete settlement of this question the most pressing want of our young colony; more pressing, indeed, even than that of political Government, inasmuch as the funds administered by the Association, and the power exercised by its officers, are greater than those which the Government possesses, or is likely to possess, for some time to come.

LYTTELTON, *June* 3, 1851.

I beg that you will lay before the Committee of Management the determination at which I have, not without the most careful and anxious deliberation, arrived with respect to the future administration of the affairs of the Canterbury Association. Every day's experience convinces me more and more strongly that the evils necessarily incident to distant government very far exceed those to which the Settlement may become exposed if the Government be transferred to the colony, by the comparative inexperience of its inhabitants in affairs, by their possible inferiority in legislative and administrative ability, or by the risk of losing to some extent that weight and influence which the Canterbury Association, as at present constituted, possesses in public estimation. It is impossible, I fear, for anybody living in England to appreciate fully the extent of inconvenience, embarassment, and bad feeling engendered by such a relation as now exists between the colonists and the Association. I assure you I open each bundle of dispatches that arrives with fear and trembling, not knowing whether they may not convey to me an intimation of some regulation having been made which it would be most inexpedient to enforce, or some contract entered into which I should be unable to fulfil. On the other hand, it is most difficult for the dispatches of an officer called upon to carry out under such circumstances as mine the instructions of a distant authority to be otherwise than a series of remonstrances and complaints, and this even though there may be, as in the present case, the most entire and well-grounded confidence in the ability, disinterestedness, and zeal of the members composing the governing body. On the other hand I feel perfectly certain that the Committee must constantly feel a want of the materials for legislation, caused by defective information from their agents in the colony. This will always be the case; people on the spot are generally so much engaged with the administrative business of the moment that they forget to report many things which those at a distance would

like to know; indeed, the familiarity which results from local conversance, leads almost invariably to a misapprehension as to the kind of information which those who have no such familiarity require. Finally, the time required for intercourse is so great that one often abstains in dispair from writing about matters which must in all probability be decided one way or another before the answer returns; I repeat that these objections to the centralisation of either legislative or administrative functions appear to me decisive, and I should not be acting up to the strength of my convictions on this all-important point, if I consented to administer so radically defective a system for an indefinite period, trusting only to the general assurances of the Committee that, so soon as they think it safe and right, they will transfer the management of affairs to the colony. I will not abandon the hope that they may have thought it safe and right to do so before they are called upon to answer this dispatch, and that with the arrival of the "Main Body" I shall receive an intimation that my services as the agent of a central governing body in England will be no longer required. But should such not be the case, I beg you will lay before the Committee my resignation, with a request that if unfortunately they should determine upon a successor to me, they will do so immediately upon the receipt of this dispatch. I trust it is unnecessary for me to say that, if it should be determined by the Committee to make at once that radical change in the system which I believe to be imperatively required, my services will be at the disposal of the Association and the colonists whether in England or in the colony, as may appear most desirable, for the purpose of assisting to effect such a change, and of making it work satisfactorily and well. But upon no other understanding would it be right or possible for me to remain here. My position as the representative of a system which I consider emphatically pernicious is too false and too painful to be endurable, and it is infinitely better for all parties that my functions should devolve upon some one who could exercise them without scruple, and with all his heart.

LYTTELTON, *June* 4, 1851.

The question of pasturage regulations becomes every day more pressing. Already the discouraging, indeed prohibitory, nature of those which we have published, taken in connection with the far more reasonable terms offered by Government, has had the most prejudicial effect on the prosperity of the Settlement. Several stockholders have come from Australia with a view of settling here, but not one of them admits the possibility of establishing a station, or taking an extensive run on the terms offered by the Association. If no better are offered, our district would soon apparently be, so far as stock is concerned, an unoccupied waste in the midst of pastures teeming with cattle and sheep. Mr. Rhodes has just driven 5000 of his sheep to a run immediately outside our block, and several of the Canterbury settlers who are going to invest in stock meditate following his example. The subject is felt by every one here to be so important that I will make no apology for once more endeavouring to make its difficulties and requirements clear to the Committee. The terms proposed by Government have now been made public; it will charge one penny per head for sheep, allowing, as I understand, a run sufficient for five years' increase. Thus, supposing a run to carry a sheep to every two acres, and supposing that a squatter intending to stock a run of 20,000 acres fully in five years put 2000 sheep upon it the first year, which is the ordinary calculation, he would only have to pay a rent of £8 6s. 8d. at first, increasing gradually as his means of payment increased, until when his run should be fully stocked with 10,000 sheep he would pay about £40 a year. Under our regulations he would have to pay £200 a year from the first, a rent which no possible profit from his sheep in the early years would approach to defraying, and which would be far too heavy to the last. Besides this, the expenses of forming a station are very considerable, especially in a country where timber is excessively scarce, and there is no security whatever for his improvements without buying the land. The mere statement of these

circumstances must, I should think, convince the Committee of the paramount necessity of altering the arrangements which have so unfortunately been introduced into the Act of Parliament; and, in the meantime, relaxing as far as possible the strict letter of the law in favour of intending squatters. I have already endeavoured to do so, as far as my powers enable me, as you will see by the enclosed letter to a very enterprising settler from Port Philip, who has applied to me for a run. This case affords a strong illustration of the advantages of bringing such men into the Settlement, if we look at the question as regards the sale of land only. Mr. Aitken and his partner having already purchased more than £800 worth of town property, and being likely to purchase more, he is willing to take such security as I can offer, but there is not much chance, I fear, of getting others to run an equal risk, inasmuch as I cannot secure them against disturbance by land purchasers. Now, I cannot but think that if the Committee agree with me and with the colonists as to the expediency of effecting a relaxation of the present rules, and if it be impossible to get the Act of Parliament altered, they may forward the same object almost as effectually by covenanting with future land purchasers, that the latter shall not select their pasturage within the limits of runs to which arrangements such as I have made with Mr. Aitken apply. If this be done there will be every reasonable security for stockholders so long as the jurisdiction of the Association shall last, and many will no doubt prefer such an arrangement to one under the regulations recommended by me to the Committee in former dispatches. I trust that no delay will occur in letting me know the decision of the Committee on this all-important point. Until I hear from them I will proceed very sparingly in the disposal of runs, so that there will be plenty of pasturage kept always available for immigrants.

I need not call the special attention of the Committee to the minute prepared by the colonists on the subject of permanent investments for the clergy of the Settlement, which

they are sending home by this mail. It is a subject upon which they naturally feel considerable anxiety. I feel so strongly the necessity of a permanent endowment for the Church that if sufficient funds cannot be made available for constituting it in the ordinary way, I should recommend a purchase of town land on Church account as a means of providing, at least for the future, and procuring some resources even for the present. One hundred acres thus bought in Christchurch would procure £400 to £500 a year now, and would become extremely valuable in the course of a few years. The objections which justly apply to Church reserves of rural land appear not to do so if town land only be reserved.

LYTTELTON, *July* 1851.

I have in obedience to the instructions of the Committee written to the Governor-in-Chief on the subject of erecting Canterbury into a separate province. You will see by the New Zealand newspapers that a Bill for remodelling the Constitution of these Islands is now before the General Council; this Bill, if passed into a law, will only have the effect of altering the form under which the irresponsible authority of the Governor is now exercised, and not of limiting that authority in any effectual manner; it excites no interest whatever in this country. I earnestly trust that the Association will exert all its efforts to procure for the people of this country the full power of managing their own affairs; but, in the meantime, I cannot but urge that the most effectual mode by which it can further that object is by its example, *i.e.* by giving up to them the management of those funds which are now disposed of irresponsibly by itself.

I wish to draw the special attention of the Committee to the number of persons entirely unfit for a colonial career who have emigrated under their auspices. I do not allude at present to individuals of wild and dissipated habits, sent out

because their reputation was ruined at home. Of such we have received a few, but I am sure the Committee are as well aware as I am of the prejudicial effect which the emigration of such characters as these has upon the social welfare of the Settlement, and that they have always discouraged it so far as lay in their power. But there is another class almost equally unfitted for a new country, who have come out in considerable numbers, and in many cases, as I have been led to understand, with the knowledge and even under the advice of members of the Association; I mean a class of young men, sons of gentlemen, liberally educated and of spotless characters, but almost entirely destitute of pecuniary means, and unfit, of course, for manual labour. I cannot express to you the pain with which I have received several young gentlemen, most of them bringing me letters of personal introduction, and all asking me for advice as to their best mode of earning a subsistence. The best advice I could give them would in most cases be to go home again, but that they have generally not the means of doing; and what prospect is there for them here? I cannot too often repeat that there are but two classes of persons who succeed in a new country, capitalists and manual labourers; a very limited number of professional men, of course, find employment, but, as a general rule, no man should come out who cannot either earn wages by working with his hands, or pay wages to others for doing his work. Persons of liberal education and refined habits, but without means, have, except in a very few instances, no career before them, no prospect of success. I know that the Association cannot always prevent such persons from coming out, but I am sure they can often do so, and at any rate they can always relieve themselves of responsibility by protesting against unsuitable emigrants when brought under their knowledge. There is, however, another class for whose emigration they are altogether responsible, and with reference to whom very great caution should be used. I allude to young single women receiving assisted passages. A few of these have come out, and they have caused me a

great deal of embarassment and annoyance. But I hear that there is some intention of sending them out in greater numbers, and I confess I dread exceedingly the effect of such a step. Good hard-working domestic servants can find employment, and are useful, but the class commonly known as "Distressed Needlewomen" are not generally fit for domestic service in a new country where many hardships must be endured which they have never been accustomed to undergo. On the whole, though I do not like to express an unqualified opinion against sending out any of that class, I have no hesitation in saying that but few single women unattached to families should be sent out to us, and that in all cases a strict enquiry should be made with respect to their antecedents and qualifications.

Before concluding this letter I would once more urge upon the Committee the desirableness of directing the attention of intending colonists to pastoral pursuits more than has hitherto been done. It is a remarkable fact, and one very much to be regretted, that not one of the colonists from England, with the single exception of Mr. Russell, has formed a sheep station. The rest have contented themselves with settling on their respective sections, apparently with the intention of cultivating on a small scale. Now, it is notorious that in a new country agriculture does not pay an employer of labour after the first year or two of settlement, owing to the fall in the price of produce consequent on extended cultivation, and the high price of labour which is usually maintained. The market then comes to be supplied by small farmers, cultivating their lands with their own hands. On the other hand, stock feeding with ordinary good fortune and ordinary care, can hardly fail to be successful and lucrative; and it is just the sort of pursuit which a gentleman can engage in, and make a pleasant occupation of. Nor does it by any means involve in this country the isolation and dispersion which have caused so many social evils in Australia. There is no reason why a gentleman should not with his family reside upon his farm within a few miles of

Christchurch, cultivating and improving it for his own amusement, but he ought to look for the profits of his capital to his sheep or cattle twenty, thirty, or forty miles away: he may keep up a sufficient superintendence by visiting it once or twice a week, and may manage it in the meantime through the instrumentality of careful shepherds, or perhaps through some member of his own family; every part of the block being equally available for stock, and being also within fifty miles of the capital, with perfectly easy access; the moral and social influence of the capital with its institutions will be felt throughout the whole, and the profits of pastoral husbandry may thus be secured without its corresponding evils. It grieves me, I confess, to see these great advantages and capabilities overlooked, or at least unappropriated, by Canterbury colonists, properly so called; for if no counter movement take place among them speedily, or if others do not come out from home with more enterprising views, or more abundant capital, all the wealth and influence of the country will pass into the possession of old colonists from Australia and elsewhere, and one great object of the Association, the infusion, namely, of new blood into these colonies, will be defeated. To men with fixed incomes, who have no wish to make money, these observations, of course, do not apply; such men could afford to farm as they could afford any other expensive amusement, but I have seen no appearance as yet of such a class amongst us any more than I see a class of enterprising capitalists, and I cannot, therefore, but entertain considerable fears as to the prospects of a great majority among the settlers.

LYTTELTON, *April* 5, 1851.

I am particularly anxious that the question of glebes should be settled, and beg that you will communicate with me as soon as possible on the subject. My own opinions with reference to them is this. If we had funds sufficient to provide for

clergy by investment in Government securities, I very much prefer that the Church should have no territorial endowments; but if we cannot otherwise provide for the clergy whom we have engaged, I think it better that there should be an endowment in land which may produce the means of subsistence for them at a future time, than that they should have no endowment at all, but be left to voluntary payments for the means of living. Under any circumstances, however, I think that land devoted to Church purposes ought to be strictly a Church endowment, not a glebe in the ordinary sense of the word, such as thirty acres surrounding a parsonage would be. This latter plan merely tends to transform the clergyman into a farmer or manager of land, without obviating the necessity of providing him with a money payment from other sources. If there must be Church lands, the utmost care ought to be taken to prevent any part of them from being appropriated to the use of individuals; they should be considered as corporate property, and their proceeds distributed by the corporate authorities. The topic which I am now treating of leads me naturally to the general consideration of clerical endowments. Very great alarm is felt by the colonists at the arrival of such a large number of clergy, for whom no permanent endowment has been provided. I enclose a communication which I have received from the Colonists Council on this subject, and beg to express my entire agreement with the tenor of it. I venture specially to express my entire agreement with the request that for the present no further clerical appointments may be made. It is far better even that vessels should be without chaplains if the Association cannot afford to send them out and pay their passage home, than that a number of clergymen should accumulate here for whom there is neither employment nor means of subsistence. If persons wishing to become settlers should happen to be clergymen too, it is of course desirable that their clerical character should be taken advantage of, so as to have the duties of chaplain performed on board ship; but I cannot conceal my own very strong opinion that those who, being

invested in the office and character of priests are compelled to be primarily agricultural colonists, and to make their clerical functions subordinate and secondary are not, generally speaking, the fittest persons to select for the performance of their functions. I should wish as much as possible to dissociate the clergy of the colony from secular occupations and secular ties, and therefore I cannot consent to the views expressed in your dispatch on this subject, views which are equally opposed to the Bishop, and, so far as I can recollect, to those of the Canterbury settlers. As regards the mode of investing the sum devoted to clerical endowments, I am of opinion that New Zealand Government debentures bearing 8 per cent. interest, and now about par, are sufficient securities for the purpose; and I find that the Bishop is of the same opinion. I therefore recommend that I be authorised to purchase from time to time debentures to the amount required.

LYTTELTON, *September* 5, 1851.

I have received a copy of the Report of the Managing Committee to the Canterbury Association, dated April 25, 1851, and have read with much interest the able paper on the subject of Ecclesiastical and Educational affairs contained in the appendix to that document. It is unnecessary for me to give my opinion with respect to the various details embraced by the "Scheme for the Administration of the Ecclesiastical Fund," and the "Plan for the College," &c., but I cannot help urging upon the Committee that it would be most inexpedient to commit the Association definitively to any such elaborate scheme, until it shall have become virtually a local, colonial body. It is utterly impossible that the people of this Settlement should accept or be satisfied with plans, (however ably drawn up) for the management of their affairs, with framing which they, the parties chiefly interested, have had nothing to do. The only result, therefore, of any attempt to establish

such plans would be an unceasing and injurious struggle, which could not end otherwise than in their discomfiture. The colonists will, I have no doubt, thankfully accept recommendations and suggestions made from home in all these matters, but they will insist, and in my opinion most justly, that the ultimate decision shall rest with themselves. Home made plans, however inferior to imported ones in the abstract, are sure to *work* better, because the people like them better. I trust that the Committee will particularly observe the unanimity of feeling in favour of local self-government which has lately been displayed in this Settlement, and will remember that it will extend itself equally to all departments of affairs in which the colonists are interested, ecclesiastical and educational, as well as those with which the general Government is concerned.

LYTTELTON, *September* 16, 1851.

I enclose a copy of a letter which I have received from His Excellency the Governor-in-Chief, on the subject of the Provincial Revenues of New Munster. You will observe that His Excellency intimates that the existing Province is to be divided into four, of which Canterbury is to be one.

I confess I was not prepared for the promptitude with which Sir George Grey has acted on the recommendations sent out to him by the Colonial Secretary of State. His having done so simplifies exceedingly the course which the Canterbury Association ought, in my opinion, to adopt with reference to the disposal of the Land Fund. The Miscellaneous and Emigration Funds may at once be handed over to the local Legislature, and the Association itself may be transformed into a local body, administering the Ecclesiastical Fund until a regular ecclesiastical corporation shall be constituted. The primary duty of the Association as at present constituted (if my views on this subject be approved of), will be to fix

such a qualification for future membership as they may think most advisable with reference to the affairs which the body when localised will have to administer.

LYTTELTON, *October* 1, 1851.

The Committee having expressed their opinion definitely on the subject of the alterations in pasturage regulations which were proposed by me, it is unnecessary for me to argue the question further. The Committee knowing, as they must do, the feelings and wishes of intending purchasers in England, have, I dare say, exercised a sound discretion in what they have done. I trust that the provisional arrangement entered into by me, of which I have already sent home the outline, and now send full particulars in the letter of which a copy is enclosed, will be found by them so far satisfactory that it does not interfere with the full liberty of choice offered by the terms of purchase to purchasers. That arrangement, contrary in a great measure to my expectation, have given satisfaction to both purchasers and licensees, and, I think consequently the Committee need not now in any way interfere further than if they see no objection to ratify it. I had thought that it would be desirable to have the Act of Parliament altered, but unless the Committee think that the agreement which I have entered into contradicts the Act, I now think it better to leave the latter untouched in this particular. You will observe that I have introduced into it a clause requiring the deposit of a sum of money in cases where the run is not immediately stocked; this provision is intended to prevent the taking up of runs by mere speculators who may have no intention of stocking them at all. There is one point connected with this subject which I think it is desirable to notice. An impression seems to prevail in England that there is a danger of establishing a squatting interest too strong for the law. I do not think there is the slightest ground for such

an apprehension. In no part of the world is the law more easily and certainly carried into effect than in those districts of New Zealand which are not occupied by Natives. It is remarkable, as I have already observed, that few,—hardly any indeed,—of the colonists from England have taken to sheep farming. The expense and risk of bringing down sheep seems to have alarmed them, and though a few are now taking advantage of the relaxation above alluded to in the pasturage regulations, the importation would still be quite insignificant, if it were not that the capabilities of the country are attracting capitalists from Australia. And yet without such importation there is nothing but gradual impoverishment and ultimate ruin to be looked forward to by those land purchasers who have not incomes derivable from other sources than their farms. I cannot too often repeat that in a new country farming will only pay the working-man, unless through the operation of some stimulus acting on the market over and above the ordinary demand of an agricultural population. In the older Settlements of New Zealand this stimulus has been supplied to some extent by a large expenditure of money by the British Government, but this, of course, we cannot calculate upon here. Land owners have therefore absolutely nothing to trust to except the wealth which may be created by an export trade, and the only export trade apparently possible for this district consists in the produce of cattle and sheep. To the land owning colonists, therefore, it is felt to be a matter of life and death (if I may use the phrase), that capital be invested in pastoral husbandry, not only extensively but speedily, before their means be exhausted and they be obliged to sell their holdings. They know that they must not trust to continuous immigration from England to keep up the value of their land, because if it become known, as it must become known, that the cultivation of land will not pay, land sales and immigration will stop, or at least proceed so slowly as not to meet their necessities. Experience shows too, that the immigrants from England do not invest capital in stock, that

is, in the only pursuit which is remunerative; their arrival therefore, though for the moment it gives an artificial stimulus to the business of the Settlement, has by no means a proportionate tendency to promote its permanent material prosperity. Indeed the greater the amount of capital sunk in an unremunerative investment, the more certain and disastrous will be the reaction, sooner or later. On the other hand, the colonists are aware that in Victoria and South Australia the creation and maintenance of a profitable export trade has had the effect of keeping up, and even enhancing, the value of land. In neither case, indeed, was the process rapid enough to save from ruin a very large proportion of the first settlers, and the inference drawn from this circumstance is that the foundation of an export trade ought, if possible, to be laid contemporaneously with the first settlement of agricultural colonists. On the whole, then, there is a very general feeling here that the material prosperity of the Settlement, and the fortunes of the great majority among the landowners, are dependent upon a rapid importation of capital in the shape of stock from Australia, and that any policy which should tend to retard or restrict such importation would be most fatal to their interests. For my own part, I should rejoice beyond measure to see the same end attained by the immigration of pastoral capitalists from England; but there appears to be no prospect of this on an extensive scale, and I advocate, therefore, as the next best thing, the immigration of pastoral capitalists from the neighbouring colonies.

LYTTELTON, *October* 24, 1851.

I have to report the arrival of the "Canterbury" after a passage of 121 days; all well on board. I regret to say that considerable dissatisfaction appears to be felt by many of the passengers who have come out in this vessel and in the "Midlothian," and loud and general complaints that the agents of

the Association had given them altogether too favourable an impression both of the country and of the amount of public works which they would find completed. I do not mention these things as implying any suspicion on my part that there is ground for such accusations; on the contrary, I feel sure that the Association have merely communicated to intending colonists the substance of the information which they themselves have received, leaving the colonists to draw their own conclusions. But I am very anxious to impress upon you the necessity of extreme caution in dealing with such persons, indeed of pointing out to them rather the dark than the bright side of colonisation; above all, of abstaining as far as possible from conjectural estimates as to what will or will not be done by the time they arrive in the colony. I observe, in illustration of what I have said, that, in my dispatch of the 18th January last, I stated as distinctly as possible that only half a mile of the Christchurch road was then open, and that unless further remittances arrived by the ships then due I could not continue working at it for more than a fortnight longer. That dispatch had arrived and the substance of it had been made public before the last three vessels sailed, and yet I am told over and over again, that the impression conveyed by the Association to its purchasers up to the last moment, was that the road would be finished before their arrival. Probably, as I have said, this mistake was owing to their own faults, but if the Committee consider the extremely bad consequences which mistakes of this kind produce, they will, I am sure, agree with me as to the urgent necessity of guarding most carefully against them. Having said this much, I must add that I think those who have expressed dissatisfaction and disappointment are persons eminently unfitted for a colonist's life. They are altogether destitute of energy and resource, and have really never studied the subject so as to make themselves reasonably acquainted with the inevitable difficulties of a colonist's start in his new life. Many have never even taken the trouble to ascertain the general features of the country, and expected the

Plains to resemble an English park, with hill and dale, wood and water, blended in precisely the proportions most favourable to picturesqueness and utility. Some are very indignant because they were misled as to the price of provisions, as if the officers of the Association could possibly, unless gifted with prophetic inspiration, know what prices would prevail at the Antipodes at any given future time. The only complaint which appears to me to have a shadow of foundation is that people have been encouraged to buy too much land. I know how difficult it must be to avoid such encouragement without running the risk of sacrificing a scheme which depends on a large and sustained sale of land, and also that intending colonists have pretty nearly the same means of ascertaining the economical results of their purchases which the Association has; still, as we do volunteer to give advice, our *first* obligation is to take care that no false impression of the actual facts should be conveyed *through our means* to anybody. Now, undoubtedly the impression that agriculture can be made a permanently profitable occupation by a *gentleman* in this country is false. A man, therefore, who is not a manual labourer, and who has not some independent source of income, which enables him to dispense with the profit of the capital expended by him in land, would be better off if he had not bought land. On the other hand, a person with small capital can invest it here, not in land at first, but in innumerable other ways, so as to derive from it eight or ten times the profit which it would produce in England. By degrees the land will be bought by men, especially working men, who have made money either by wages or investments; but the only persons who, in my opinion, ought to be advised to buy land at first, are those who can afford to do without the interest of its price for the present, or at least to be content with a small and problematical return in the shape of rent, looking to the future for a sure and large increase in the value of their property. I have often laid these views before the Committee, and every day's experience convinces me more and more of their truth.

Our scheme (looking at the matter in a merely economical point of view), cannot prosper if based on the foundation of unprofitable investments. It is far better to have a small sale to men who know what they are doing when they buy, than a very large one to men who repent after coming out that they have bought our land. Among the colonists who have hitherto arrived there is certainly too large a proportion of the latter class, and I should not be doing my duty if I did not warn the Committee against doing any thing to swell its numbers.

LYTTELTON, *December* 14, 1851.

With reference to your dispatch on the subject of my laying the colonial accounts of the Canterbury Association before the colonists for approval and audit, and expressing dissatisfaction with such a course, I have to say that the words "for approval," which occurred in my dispatch were not strictly correct. I am in the habit of laying the accounts before the land purchasers formally, and of offering them for public inspection on payment of a small fee, not as acknowledging any theoretical responsibility, still less as requiring an audit, but simply as a free offer of submission to the utmost possible publicity, for the purpose of securing public confidence. In doing so I follow the example of the Bishop, who regularly offers his ecclesiastical accounts for public inspection, with, as he informs me, the best possible effect. As to the audit by the Board of Trade, it is altogether impossible that the people of this country should regard it as any guarantee for the proper expenditure of the public money by the Association, inasmuch as neither the Board of Trade nor indeed the Committee of the Association, can have any but the most insufficient data for judging of the propriety of colonial expenditure, or indeed of the honesty of those who control it.

LYTTELTON, *December* 23, 1851.

I have to acknowledge the receipt of your letter of the 14th August, in which you request me to offer suggestions upon several points connected with the transfer of the Association's powers and functions to this country.

I regret exceedingly to hear that in the opinion of the Committee the proposal of transferring all those powers and functions immediately, in the form suggested by me in March last, would be equivalent to an abandonment of all the objects for which the Association was founded. I think the form suggested by me may very possibly be a bad one, or not the best; but if the Committee mean to imply generally that the administration of the land fund by an independent local body would be equivalent to an abandonment of their objects, I confess I think they should have stated their reasons for so thinking. For my own part, I cannot see how that can be the case, except upon the assumption either that local administrators are incompetent, or that they would be unwilling to carry out those objects; and as I think the Committee cannot have intended to imply the former alternative, I am compelled to suppose that their opinion, as above stated, is founded on a belief in the latter; in other words, I suppose the Committee believe that a local constituency would be *unwilling* to carry out the objects of the Association. I do not myself think there is any ground whatever for this belief; I think a local association, properly constituted, would carry out those objects more satisfactorily and efficiently that a distant one; but if such were not the case, I have no hesitation in saying that it would only prove the abandonment of them to be right and necessary. For the inference would seem to be that the inhabitants of the Settlement, being the parties most interested and most qualified to judge, disapproved of the scheme, and wished it to be given up. I cannot regard an enterprise of this kind, with reference to its abstract or theoretical merits, if it is not good for the people of the country which it affects, nay more, if they do not think it good for them after experi-

ence of its working, I hold that the theory of it is thereby proved to be unsound. I say this in the full recollection of the vagueness of the term "people of the country," which does not affect my argument, inasmuch as the Association have the power to select any constituency they please, and if it were only local and independent it would satisfy my requirements. If then no constituency could be framed willing to carry out the "objects of the Association," the inference would be that the "people of the country" were opposed to them, and, as I think, that they ought to be abandoned. Indeed, if such were the actual state of feeling here, the prosecution of the scheme of the Association would do more harm than good to the very cause which it was intended to promote.

I do not see how the clause in the Act lately passed meets the necessities of the case at all; the committee, of which it provides for the appointment, would be nominated by, and dependent upon, and responsible to, the central governing body; it would be, in fact, merely what the agent is now, *i.e.*, a servant of the Association. I should have thought that a simple power of attorney would have effected all that the clause purports to effect, namely placed the agency in commission, supposing that a change so trivial were all that we wanted. Nay, the clause seems rather to restrict than to extend existing facilities for the delegation of powers, inasmuch as you inform me that the delegates appointed under it must first be made members of the Association *by name*. This seems inconsistent with the principle of local election, for no local constituency would consent to elect a committee of which the names should go home for approval, and be sent out, if approved, a year afterwards. Before that time half of them, or all of them, might have died, or left the colony, or might not choose to act, or might have become unacceptable to the constituency. In a country like this, where the circumstances are changing, and of which the population is growing with incalculable rapidity, unless there were an annual election of the managing committee, it would be impos-

sible to secure unity of feeling between it and the body of the people.

With reference to your dispatch of the same date, in which you comment upon the formation of an Ecclesiastical Corporation for Canterbury, I am rather inclined to think that the best way of provisionally dealing with the ecclesiastical portion of the land fund would be to hand it over to the Bishop in trust to administer it with the consent of the clergy and laity of the Church. I speak with hesitation on this point, but I think the Bishop, in whom, as being a corporation, the fund would vest, might be bound by a declaration of trust to any mode of administration which might seem fit; and, further, might be bound to give it up to any ecclesiastical corporation which might be formed hereafter on a broader basis. I cannot think there is any difficulty in constituting a trusteeship either in that or in some other analagous form, such as exists in the case of other religious bodies on whom endowments are bestowed. I am by no means without hopes that the Provincial Legislature of this Settlement may be induced to constitute ecclesiastical corporations within its jurisdiction, but this of course must be doubtful for the present.

Another suggestion which I have already made to the Committee would point to the preservation of the Canterbury Association locally constituted as a Church body for the administration of the ecclesiastical portion of the land fund alone, and providing by a bye-law for the handing over the remainder to the Government.

This plan involves the difficulty of investing very large powers in a body, which, if it were so constituted as to make it a perfectly fit administrator of the Church fund, would be too exclusive to be permitted to exercise the secular functions of the Association. On the other hand, it has the advantage of providing a definite legal organisation for the churchmen of the Settlement, an organisation which might be used provisionally with great benefit. To either of these plans, however it would be essential that the Association, however constituted

and whatever functions it might have to perform, should be local and independent, and that the ecclesiastical body should be equally so. That clause therefore in the ecclesiastical scheme already propounded by the Association, in which the following words occur:—"They reserve to themselves the "fullest powers to enable them to discharge this obligation, and "for this purpose to exercise an absolute control over the fund "itself, and over all persons concerned in its management and "distribution. Considering also that at present it would be "impossible to foresee or provide for all future contingencies "they reserve to themselves a full discretion to modify their "scheme as they may from time to time think best"—appears to me extremely objectionable, nor can I conceive that the Bishop and Churchmen of the Settlement would consent to accept any office which involved submission to it. I observe with great pleasure that Mr. Gladstone has given notice of his intention to bring in a Bill next Session for improving the position of the Church of England in the colonies by removing the restrictions which impede her freedom of action. I trust that if any such measure pass, it will obviate many of the difficulties which are alluded to in your letter as surrounding the management of Church property within this Settlement.

In conclusion, I must repeat that I am at a loss to see any difficulty in localising the Association. The Charter provides full power of making bye-laws regulations, &c., &c., for the admission of members, limited only by their being members of the Church of England; why then should not a bye-law be passed at a General Meeting, providing that on and after such a day every man possessing so much land in the Settlement, and signing a declaration that he is a member of the Church of England, shall be a member of the Association, and appointing Christchurch in New Zealand as the place for the next General Meeting after that day? For my own part, I am comparatively indifferent as to the precise mode of transfer and as to the franchise. I think the present Association has better means than we have of ascertaining the former, and

cannot go far wrong in fixing the latter. All that I or the colonists care about is, that the exclusive and entire management of their land fund should be in the hands of a local body, responsible only to the people of this Settlement. Far from thinking that that function of the Association which is concerned with the sale of land must continue to be exercised in England, as the Committee assume in this dispatch, I am of opinion, as I have repeatedly stated to the Committee, that it ought more perhaps than any other to be exercised here. The only objection to this would be that the emigration fund could not be made available for a considerable period after the sale; but to a certain extent this might perhaps be obviated by allowing intending purchasers to pay a certain sum towards their own passage, and towards the passage of labourers recommended by them, with the understanding that that sum should be refunded to them on their completing their purchases in the colony, if it did not exceed one-third of their whole purchase money. A certain amount of emigration might perhaps also be safely carried on in advance of land sales, corresponding to the number of intending purchasers known to have come out. With respect to the immense advantages of a system of land sales on the spot, it is needless for me to enlarge; I am sure that if the Committee were aware of the evils to which the opposite system gives birth by encouraging merely speculative purchasers, they would come to the same conclusion as myself. I have written on this subject in a separate dispatch.

I am at a loss how to deal with the question of the pecuniary liabilities undertaken by individual members of the Association, inasmuch as I have no knowledge either official or private of their precise nature or extent. I have understood, however, from some of those personally interested in the matter, that there is little if any chance of those liabilities being practically enforced; and I have not the slightest doubt whatever that the colonists, so soon as the case shall have been put before them, will gladly and thankfully

take all such liabilities upon themselves, as a condition of having the management of the land fund placed in their own hands. But, independently of this, I do not think that the chance of those gentlemen being called upon to pay money on behalf of the Association is at all lessened by keeping the management of the fund at home; except in so far as the sales are thereby made larger, or the management better (which would be assuming the point at issue), there seems no reason for supposing that their security could be affected by the transfer which I propose.

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LYTTELTON, *January* 23, 1852.

My despatch of 23rd December in reply to one on the same subject to Mr. Alston, will put your Lordship sufficiently in possession of my views with respect to the questions of which your letter of 10th September treats. There are, however, some points in that letter to which it is necessary for me to refer especially. In the first place, I wish to observe that your Lordship in considering the suggestions thrown out in my letter of March in the nature of a matured plan, and proceeding to criticise them as such, is not quite doing me justice. I hold, and I think you will agree with me, that, whenever authority is to be transferred from the mother country to a colony, it is the special business of the person or corporation in whose hands that authority resides, to decide how its transfer is to be effected, and to constitute the new depositaries of it. In matters of colonial government, I hold that the duty of the Imperial Parliament is to call into existence a governing power in the colony, in other words, to create a constituency, and then to leave that local government to do its own work. So, in the case of the Association, I never considered it as my business, nor as the business of the colonists, to settle how, or to whom the powers of the Association as now constituted, should be transferred. What we wished was

simply that they should be transferred to a local and independent body, and to make this wish known was our primary, if not the only object. It is true that I exceeded the limits of what I have laid down as my proper province, by indicating, perhaps too distinctly and too specifically, my views and ideas as to the best mode of doing what I wished to see done. I did so hoping that the expression of them might possibly serve as a suggestion and a help, but fully conscious of my own inability to deal with the whole question, and intending, in fact, that the very vagueness of my proposals should demonstrate the nature of my object in making them. I now regret having made any proposals at all, inasmuch as I find that the minds of the Committee were thereby diverted from the main point at issue to a discussion of the value of my particular suggestions. It is really a matter of comparative indifference to me, as well as to the colonists, whether those suggestions prove to be feasible and desirable, or utterly worthless. If they had been ever so well matured, and if I had been much more competent than I am to deal with a subject involving legal questions of no small difficulty, I could never suppose for a moment that they would be fully adequate for their purpose, still less that they would be adopted wholesale, as I sent them. If, therefore, the Committee had confined themselves to a mere statement that my plan (if plan it could be called), was not practicable, or not the best, and if they had gone on to say that, with respect to the purport and intent of it, with respect namely to the immediate transfer of the Association's powers to a local and independent body, they concurred with me, and would accordingly take the best means of effecting it, I should not have had another word to say. I should then have known that my object was attained. But it appears to me that your Lordship's general conclusion is that you do not concur with the colonists and myself in the general principle advocated by me, *i.e.*, the principle of immediate localisation. Now, upon this point my opinions are so strong, that, as you will long ago have known, I cannot undertake to carry on the business of

the Association upon its present footing; and I feel perfectly well convinced that your Lordship and the Committee if they had my experience of the working of such a system on the spot, would come to the same conclusion as I have done. What I wish to impress upon your Lordship, and only regret that I have not words to express adequately, is that a distant governing body always comes to be suspected and disliked by colonists: not only are those of its acts distasteful to them which are really ill-judged and pernicious, but even a policy which would be approved of, if it had been initiated by themselves, is objected to when it is imposed upon them by others. All sorts of rumours are circulated to the disadvantage of the distant authority; the simplest action is misconstrued, hidden motives are, most unjustly in many cases, attributed; every thing is looked upon from the worst point of view, and this not merely from jealousy or from irritation at fancied mismanagement, but really for want of mutual intercourse. It is therefore very far from arguing indifference for the principles of the Association's scheme, or ingratitude towards their persons, that the more thoughtful among the colonists long to see them relieved from a task which they cannot possibly perform well, and their continued attempt to perform which would soon alienate the people of this Settlement both from their principles and from themselves. I have no fear but that at present the colonists, however represented and organised, would be perfectly satisfied to take the scheme as it stands and work it, but every year, every month, every day of distant government adds to the numbers of those who will oppose not only the practice but the principles of that government. It seems therefore to me, and to all the colonists who wish well to our scheme, a matter of primary importance that it should be worked here from the first. I had every reason when I wrote the dispatch to which your Lordship's letter is a reply, to believe that the questions connected with the political constitution of New Zealand would have been settled during the last Session of Parliament, and that a Provincial Assembly,

representing the people of this Settlement, would at this time be administering its affairs. I thought and still think the Provincial Government so constituted would be the proper instrument for administering the land fund; and I cannot but believe that the present members of the Association have sufficient influence to procure an Act of Parliament giving to the Provincial Government the necessary powers, and binding it to appropriate the fund during a certain time in the manner specified by the first Canterbury Settlement Act. It appears to me that if such an Act cannot be obtained, there is no alternative but to adopt the comparatively unsatisfactory expedient of a local Association, which must make the best arrangement with the local Government that it can for the administration of the department which shall have been placed under its control. I see clearly that great difficulty would be experienced, and delicate management required, to secure any thing like harmonious co-operation between two bodies whose respective jurisdictions would be naturally so ill-defined and so incompatible: but as they would be in each others presence, and probably in a great measure composed of the same persons, a way would no doubt be found to overcome the difficulty. Whereas I can see no possible mode of reconciling the differences which would be sure to arise between the London Corporation and the Provincial Government. And I need not say that in case of such differences, public opinion, both here and in England, would be equally sure to support the latter. * * * * * *

I have next to observe on what your Lordship says of the constitution and claims of the Council of Land Purchasers. I am quite aware that the constitution of that Council is provisional and defective, and I should strongly oppose any claim on its part to be considered as representing the opinions of the whole community. I have felt the impossibility of forming a regular and complete organisation of the colonists, because I had no power to fix a franchise for such a purpose. I therefore took the organisation which I found existing and

formally recognised by the Association, and which was composed generally speaking of men who had evinced their sympathy with our principles by their contribution towards our funds. I repeat that I have since that time invariably endeavoured to secure their co-operation, and to conform as far as possible to their advice, not as admitting any claim of right on their part to such consideration, but as a matter of practical convenience and for the general good. I would gladly have widened the basis of representation, but I feel that I had no authority to undertake a task so responsible and so delicate. But at the same time I must remind your Lordship that the "original land purchasers" whom it does represent, constitute precisely that part of the community which has the greatest sympathy with the objects of the Association, and the strongest sentiments of gratitude and respect for its members. Although, therefore, an antagonist of the Association's policy might fairly refuse to attach weight to the opinions of the Council upon points connected with that policy, an advocate of the Association can hardly do so. If I had the slightest reason to suppose that the Council go farther than the body of the population in their objections to the policy of the Association I would of course have informed the Committee that such was the case. But I can assure your Lordship that I have no reason to believe so. I feel certain that you will see upon consideration, that if the Bishop, the clergy, the officers of the Association, and the original land purchasers are unanimous, (as they are indeed unanimous) in advising immediate and complete self-government, the remaining classes of the population are not likely to be less so. We (that is those who wish well to the scheme, but disapprove of the present administration of it), are placed in a great difficulty: we are sincerely anxious to avoid the scandal of a public controversy between the Association and the colonists, and yet we feel that upon a matter so vitally important we cannot be silent; we are thus unable to do justice to our cause by inviting popular support, and we expose ourselves, when we do speak, to the retort that

we are speaking only our individual sentiments and not those of the community. I am perfectly conscious of this weakness in our case, but I deliberately prefer submitting to its disadvantages rather than run the risk, without evident necessity, of giving to our common enemies occasion of triumph. If there be one thing which has hitherto distinguished this Settlement from every other colonial community of which I have heard or read, it is the remarkable unanimity of its inhabitants in all matters of public interest; but the point upon which this unanimity is most complete and most decisive (embracing as I believe it does every single individual who thinks on these matters at all), is—local self-government. We are thoroughly convinced, whatever may be our respective opinions on other political questions that those who manage the affairs of a country ought to reside in that country, and we do not believe that any advantages possessed by a distant governing body can compensate for the disadvantage of distance. Most of us thought so before we came out, and every thing that has passed since has served to deepen and strengthen our convictions. To this pervading and rooted sentiment, and not by any means either to want of confidence in the Association or of attachment to its principles, I trust your Lordship will attribute the earnestness with which the necessity of an immediate transfer has been pressed upon you. It appears to me unnecessary and most undesirable to wait during an indefinite time for the action of Parliament, while, as I believed, the Settlement was suffering irreparable injury from even the temporary administration of its affairs by the Committee sitting in London. But I never intended deliberately to recommend the transfer of the Association's functions to the Wellington Government; I have kept no copy of the private letter to which your Lordship alludes, and I cannot recall the circumstances or the context of the passage which you quote, but what I meant, so far as I remember, was that any local or representative government would be a better trustee than the London Association. I did not mean to recommend a transfer

to such government in its present form, because I thought better plans of localising the Association's functions might be devised; I may have incautiously used expressions which would lead to a contrary impression of my views, but in no public dispatch have I intentionally countenanced any view but one based on the necessity of a local organisation, of which Canterbury should be the metropolis. I did not suppose that the limits of our block and of the Canterbury Province would necessarily be conterminous, and I should be perfectly satisfied to have our land fund managed by the representatives of the latter. But on the assumption that no such province were formed, I should prefer on the whole, with all the evils and risks attendent on it, (as the trustee of our land fund) a local Canterbury Association, to a representative government of whose jurisdiction our Settlement should only form a small fraction.

On the 29th of May 1852 the following letter appeared in the 'Lyttelton Times':—

TO THE EDITOR OF THE 'LYTTELTON TIMES.'

SIR,—I think it due to the people of this settlement that I should make public the reason which induced me to tender my resignation to the Managing Committee of the Canterbury Association, and the grounds upon which I have now determined to retain my office for the present. When I first accepted that office, I was under the impression that the London Managing Committee, though of course formally paramount, would practically leave the administration of affairs in the colony to their Colonial Agent, controlled (as he is controlled to a certain extent) by the public opinion of the colony. I need hardly say that I never thought that this would have been a good arrangement; but I did think that, however defective in theory, it would have been just tolerable as a makeshift, until better institutions could be established.

As soon, however, as I found that the Committee took a different view of their duties and responsibilties, and thought (very naturally and properly, no doubt,) that the management of affairs ought practically to be kept in the hands of those who were answerable for it to the Crown and the public, I thought it necessary either to obtain a pledge that there should be a speedy and radical change in the system, or (if that were not contemplated) to disconnect myself from it altogether. I did not choose to be an instrument in carrying out plans of which I might or might not approve; which, at any rate, neither the colonists nor myself could have any effectual means of influencing, and of which we could rarely become cognizant until they were finally settled. I therefore tendered my resignation; at the same time offering to assist, so far as I could, in carrying any change which might be determined upon into effect, and expressing my belief that, under the circumstances, I could make myself as useful to the colony in an unofficial as in an official capacity. I have just received the Committee's reply to my letter of resignation, and I am bound to say that nothing can exceed the frankness and good feeling with which the questions raised by me have been considered and met. While the Committee justify the manner and extent of their interference with local affairs, they express in the strongest terms their consciousness of the extreme evils attendant on distant government, and their regret at having been (as they conceive) compelled by their position to endure and inflict them. The most important part, however, of the Committee's communication consists in the announcement that it is their intention to apply, *during the present session of Parliament*, for an Act which shall transfer their functions to the Provincial Government about to be constituted. Some constitutional legislation for New Zealand there must be this session, and there is every reason to hope that it may confer upon us tolerably complete powers of local self-government. At any rate the Canterbury Association is pledged to an *immediate* abdication of its anomalous

powers, if Parliament will allow of such abdication upon proper terms. The Committee have requested that during the interval which must elapse before the proposed change can be effected, I should continue to hold the office of their Agent, and it is impossible, under the circumstances which I have stated, I should refuse to comply with that request—a request which is the more gratifying to me, and the more creditable to them, inasmuch as it is made notwithstanding the existence of a difference of opinion between us upon many points of detail connected with the management of the land fund.

J. R. GODLEY.

SPEECHES IN LONDON.

Upon returning to England Mr. Godley was invited to a public dinner at which Lord Wharnecliffe presided, and which was attended by a great number of his friends. Amongst them were Lord Monteagle, Lord Lyttelton, Right Hon. Sir J. Pakington, M.P., Right Hon. C. B. Adderley, M.P., Sir W. James, Bart., Sir John Simeon, Bart., Sir Horace St. Paul, Bart., Sir F. Hopkins, Bart., Hon. Mr. Chapman, Hon. J. Daly, Hon. E. Twisleton, Hon. Captain Denman, R.N., Messrs. W. Monsell, M.P., A. Stafford, M.P., R. Palmer, M.P., J. Ball, M.P., M. Higgins, Blachford, Aytoun, T. Cholmondeley, W. Forsyth, W. H. Gregory, Logan, S. Lucas, R. S. Rintoul, Edward Wakefield.

In responding to the toast of his health,

Mr. Godley, after expressing in the warmest language his thanks for the manner in which he had been received, asked permission to pass to matters of a public nature, and to give some account of the present condition of the Canterbury Settlement. He proceeded:—I have heard a good deal in this country about the Settlement's being a failure, and I think it worth while to show that such is not the case; not for the sake of those who founded it, for to them personally it signifies very little whether they be considered to have failed or not; but in the first place, for the sake of the colony, which ought not to be discredited; and in the second, lest future enterprises of a noble and disinterested kind should be damaged by the supposed precedent of our want of success. The best way in which I can meet assertions of failure is by giving you a very short and simple account of the actual condition of the colony, with a statement of what has been done there; and if any one should think I am likely to mis-state, or over-colour, I can only say I made statements to the same effect six months ago, in the presence of 200 people, at Canterbury, and they, who know best whether I told the truth, sanctioned what I said by their unanimous applause. I am happy, too, to see here several gentlemen whose friendship I was so fortunate as to acquire in New Zealand, and before whom I could hardly venture upon any great exaggeration, even if I were so

disposed. In the first place, then, there arrived from England during my stay in the colony, 22 ships, bringing about 3,400 immigrants, well-selected, with the proportion of the sexes duly preserved, and, generally speaking, of good character and industrious habits. I calculate that from three to four hundred people came to us from neighbouring colonies, and that the gold fever and other causes have deprived us temporarily of about five hundred. The present population, therefore, may be set down at 3,300 Europeans, and they are, take them for all in all, as good materials, morally and physically, as any colony was ever composed of. Of the site of the colony there can be but one opinion, namely, that it was not only the best accessible to us in any part of the world, but that, by peculiar good fortune, it was the most advantageous, though the last selected, site for a Settlement in New Zealand. A short discription will make its extraordinary advantages clear even to you. The capital of our Settlement is the town of Christchurch; the sea-port, Lyttelton, is eight miles from it. These towns form the centre of a district comprising 150 miles of coast, of which the natural boundaries are, to the west, what we call the "Snowy Range;" to the north, the Kaikora Mountains; and to the south, the Waitangi River, and which varies in width from forty to seventy miles. I call these its natural boundaries, because such is their impracticable nature, that in all probability, for an indefinite time to come, they will not be crossed by a road accessible to commerce. Of this district, thus shut in, Lyttelton is (with the exception of the inlets of Banks's Peninsula, also in our Settlement, but lying quite out of the way) not only the best and most accessible, but the only harbour. The district consists of low hills and level praries. It is not of uniform fertility, but the whole of it is admirably adapted for carrying stock. We calculate it to contain five or six millions of acres available for pasturage, which in the natural state will carry at a very low computation two million sheep. These will produce seven million pounds of wool, worth at present prices, say, £500,000. Add

£100,000 for tallow, hides, and farm produce—a very low estimate—and you will have on the whole, produce to the amount of £600,000, necessarily exported from Lyttelton, and you will have on the other hand the supplies which the producing population will require, drawn either from the same place, so far as they are seaborne, or from the agricultural district of Christchurch. And this prospective trade, very much larger as it is than the whole export trade of Van Diemen's Land before the gold discoveries—larger than the whole export trade of the Cape—equal, if my memory be correct, to the export trade of Nova Scotia and New Brunswick put together, is not, humanly speaking, problematical or uncertain. It must come. The land wants nothing to be done to it; there are sheep enough on it already to stock it fully, even if there were no further imports, in eight or nine years, and the rest follows as a matter of course. I have used round numbers, it is true, and my estimate may be a little too high, or a little too low, but that does not affect my argument, which is, that by the necessary course of things, the Canterbury Settlement must become in a few years one of the richest colonies, and its port one of the most flourishing places of commerce in the South Seas. Now I will take the state of the case at the present time. The number of sheep in the district I have been describing is at this moment at least 100,000, which will yield, after the next shearing, exportable produce to the value of £25,000, to which must be added a considerable sum as the value of cheese, which is now bringing 14d. a pound for export to Melbourne; so that the exports of the district during the ensuing year, that is, the third year after the foundation of the colony, will be not less than at the rate of £8 per head of the population, or three times as much as the proportion of exports to population in the United Kingdom. Again, notwithstanding the immense enhancement in the price of stock, consequent on the gold discoveries, importation into Canterbury still proceeds with great rapidity. The week before I came away two ships landed 2,700 sheep,

besides a good number of cattle, at Lyttelton, and were immediately taken up for another trip. On our way to Wellington we met another stock ship going down with a full cargo. It is difficult, perhaps, for you to realise as I do, the full value of this increasing import trade in stock, both as a symptom of present enterprise and as a sure earnest of future prosperity.

As regards agriculture, I assert unhesitatingly that no body of first colonists ever set to work with so little delay and so much success to provide food from their own soil. The obstacles to cultivation in a new country are such as generally to extend longer than you would deem possible the period of imported subsistence. New South Wales did not feed itself, I think, for twenty years; Wellington does not feed itself now. Well, the people of Canterbury raised last season potatoes enough for their consumption. There were 500 acres under wheat, which will give about two-thirds of the consumption. After next harvest, the Settlement will cease to import the main articles of subsistence. This is a true picture of the state of the colony as regards its industry and its commerce. I ask you, does it look like a failure? And now let any fair-minded man just take up any number of the *Lyttelton Times*—let him observe, in the first place, its tone and style; in the second, the number of its advertisements; then the varied record that it exhibits of the sayings and doings of the colony—let him at the same time remember that that colony was only two years old, and contained little more than 3,000 people, and then let him say whether it is possible to come to any other conclusion than that the community of which it is the organ must be not only advancing and flourishing in a material point of view, but also intelligent, moral, and civilised in a very high degree. Where will you find a rural parish in this country, of eqnal population—aye, though such a parish, by being placed in the midst of an old and rich country, would have immense advantages over a colony, that could produce a newspaper like this I hold in my hand? I brought it because

a speech of mine was published in it, from which I thought I might wish to quote; but I find in looking through it ample illustration of what I have been saying. I find recorded, for example, the meeting of a horticultural society, which is said to have been so successful that they meant to have another on an extended scale in March; the performances of a Choral Society, with an elaborate and well-written critique on them; a long account of horse races (for we have our English sports, too); and finally, an entertainment given to myself, at which 150 people sat down, and which I can assure you was got up in a way that would have done no discredit to the old country. These things are trivial in themselves, but they are collectively inconsistent with the notions of depression, apathy, and failure.

But it may be asked, assuming the colony to be as you say, how much of all this is due to the Canterbury Association? Now this is, strictly speaking, beside the present question, my object being not to defend or extol the Association, but to describe the actual state of the colony. But I will, nevertheless, in a few words, tell you what the Association has done. In the first place, its agent explored and selected the site, which, up to that time, had been utterly neglected, and almost unknown; it set on foot a survey, which Captain Stokes told me was unparalleled for excellence in the Southern Hemisphere; it organised, with vast labour, one of the best bodies of colonists that ever left these shores; it conveyed those colonists with comfort and security to New Zealand; it provided for them accommodation so ample, that the hardships ordinarily suffered by newly-arrived immigrants have been unknown; it secured for them a cheap and secure title to their land, and made such arrangements for giving them possession, that within two months the whole of the first body were actually in occupation; and it has effectually represented the interests of the colony in this country, especially as regarded the acquisition of constitutional rights. On the subject of what has been done in the way of roads, and of ecclesiastical provision, it is necessary that I should speak a

little more at length. Before you can understand the demand for roads in the Settlement, or the value of what has been done to supply it, it is necessary that I should recall to your minds the formation of the country. It chiefly consists, as I have said, of level plains and undulating downs, dry, grassy, and traversable by drays in every direction. There is, however, a belt, five or six miles wide, next to the coast, north and south of Lyttelton, containing the richest part of the land, which is thickly intersected by swamps. The plains are separated from the port by a range of hills from 1,100 to 1,600 feet high. The only roads, therefore, which, in the existing state of population and commerce, are much required, are, first, one to cross the hills, between the port and the plains, and, secondly, branch lines communicating with it, and leading westward, northward, and southward, through the belt of swampy land, so as to connect the port with the dry land beyond the swamps. The first object we had in view, and that which I considered the most important, was to make the road over the hill. A large sum of money had been spent upon it before I came, and it was estimated by our chief surveyor that £7,000 would finish it. Subsequent and more careful surveys, however, made it clear to me that to finish it to Christchurch on the scale on which it had been begun, would cost from £25,000 to £30,000; to finish it on the inadequate scale of a width of eleven feet would cost (with a bridge over the Heathcote) £16,000. This, of course, altered my view of the matter, because there was no prospect whatever of getting the sum required; I saw, therefore, that it was my business not to go on sinking my small means in a work that I could not finish, but to spend them in cutting through the swamps from the head of the navigation to the dry land. I should have mentioned before that the rivers Avon and Heathcote, which flow into the sea close to the heads of Lyttelton harbour, are navigable for vessels of 25 tons close up to Christchurch, and I found after the experience of some months, that the difficulty of this water communication between the port and

the plains had been greatly exaggerated, so that, in the opinion of many of the most experienced colonists, the greater part of the heavy goods would go round by water even if the road were finished. Accordingly, I made a good bridle-path over the hill, and a cart-road from the other side of the hill to Christchurch, touching the head of the navigation. From Christchurch I formed roads to the west, north, and south, with the necessary bridges; so that, when I left the Settlement, the country was opened in every direction, and a complete communication for heavy goods effected, partly by road and partly by water, between the port and every part of the plains. At present, I have no hesitation in saying that Canterbury is, on the whole, notwithstanding the want of a dray-road to the port, certainly more traversable and accessible in every direction than any other Settlement in New Zealand.

I will now speak of ecclesiastical and educational institutions. There are four churches in the Settlement, built partly by the Association, partly by subscription, in which Sunday service is performed; in one of these there is service every day, in another on alternate days. Besides these regular places of worship, Divine service is performed from time to time at private houses in various parts of the Settlement. There is a day school at Lyttelton, and another at Christchurch, both excellently taught and well attended. I tried the experiment of having schools in two other localities, but found the population so scattered and so busy that the attendance was not such as to justify my keeping them up. At Christchurch there is a grammar school conducted by the Rev. Mr. Jacobs, at which there are twenty boys of the upper and middle classes. Now this may appear not to be much, and I fully admit that it is not as much as was intended—but, on the other hand, I maintain that it is as much as there is an effective demand for. I must again remind you that the population is smaller, and, collectively, far poorer than that of many villages in England. Now, apply this fact to the question of education. Over estimating, as we always did, the

probable extent of our colonisation, we thought and spoke a great deal about a college. But a college, in the English sense of the word, for three or four thousand poor and hard-working people would be out of place. It would die for want of students. I doubt whether there are half-a-dozen people in Canterbury who would keep their sons at a college conducted on the cheapest possible scale. Unfortunately, in new countries, there is such a demand for men and money, that very few are content, on the one hand, to pay the sum which would keep their sons as gentlemen at college; and on the other, to sacrifice those sons' services just at the age when they are beginning to be useful on a station or farm. The true criticism would be—not that we have not a college, and many other things of the same sort now—but that we so positively announced that we should have them; and to that criticism there is no answer except that we were over sanguine. We thought we should make, all of a sudden, a colony large and wealthy enough to demand these things, and that we should have means available to supply the demand; and we have neither. Upon the ecclesiastical endowments there is, in candour, something more to be said. The Committee made, in my opinion, a very serious mistake when they invested the whole of their ecclesiastical funds in wild land. There are many objections to this, but the chief is that, as all practical colonists know, wild land in a new country cannot be relied upon for producing an annual income. No doubt, in process of time, the ecclesiastical lands in Canterbury, which have been very carefully selected, will become extremely valuable; but they bring in very little now. The Association has engaged to support the clergymen and schoolmasters now regularly employed by it for five years, and if there be not sufficient funds of a public nature to discharge this obligation, it will, I doubt not, be met by individuals. But after that time the support of the church will depend on the rents of the church lands, and that is, in my opinion, far too precarious a source of income to be properly relied upon.

I have now said nearly all that I have to say about the state of the colony. I do not wish to depict it as a Utopia, either physically or socially; but I say that, taking it as a new country, and comparing it with other new countries, it is, on the whole, the best and most desirable I have seen or heard of. It is always a misfortune to be obliged to emigrate, but if I were obliged to emigrate myself, I would go to Canterbury, and it is the place to which I should always recommend any one, in whom I had an interest, to go, if compelled to leave England. He will find a healthy, though not always a pleasant climate; agreeable society; most, if not all, of the essential elements of civilisation; and—I have no doubt whatever—the best investment for a small capital now to be had in the world. I repeat that, taking the rate of profit and the absence of risk together, a capital of from £1500 to £5000 cannot in my opinion be so advantageously invested in any other way as in dairy-farming or in sheep-keeping on the plains of New Zealand.

I will now make a few remarks on the part which I took in the politics of New Zealand, especially as I understand that in some quarters I have incurred blame for it. While I was at Wellington waiting for the means of prosecuting the Canterbury enterprise, Sir George Grey came from Auckland and published a Bill for the establishment of municipal institutions in the Provinces of New Zealand. These were intended to be the preparation for, and basis of, a permanent central constitution, founded on similar principles. It became of course a most serious question whether the colonists should accept this measure, in satisfaction of their claims, or refuse to have any thing to say to it, and endeavour to get something else. I will not detain you by stating my reasons for objecting to the measure—for considering it, in fact, a mere mockery of freedom. It is sufficient to say that I did so consider it, and that therefore, as an honest man, deeply interested in the welfare of New Zealand in general, and of Canterbury in particular, I could not refuse to raise my voice against it.

Accordingly, I strongly advocated its rejection. The colonists of Wellington took the same view; they refused the Bill. Subsequently, the other Settlements pronounced in the same sense. The Governor practically withdrew it, and wrote home recommending a different and far more liberal measure; and thanks to the energy and liberality of Sir John Pakington, we obtained the constitution of last year, which has been so joyfully and thankfully received in every part of New Zealand. Now, there is not one individual in the colony or any where else, who believes that if the measure which we resisted had been carried into successful operation, and if the colony had acquiesced in it, there would have been a chance of getting any improvement on it for an indefinite time to come; indeed there would have been in that case no reason or excuse for a change; and therefore I cannot but regard with the liveliest satisfaction the course which I, and those with whom I acted, took, and the result to which its adoption led. I now look on the political future of New Zealand as assured. The colonists have obtained not only a large measure of actual power, but also the inestimable advantage of being able to express, with authority, their own opinions as to further political improvements.

And now, will you pardon my presumption, if I, on the ground that I am half a colonist, and have made colonial affairs my special study, venture to give, even to such men as I see around me, men so superior to myself in ability and position, one word of advice on the subject of colonial policy? Many of you have the power of exercising, directly and indirectly, great influence on the affairs of British colonies. May I earnestly and solemnly impress upon those the one great fundamental maxim of sound colonial policy—it is to let your colonies alone; not chiefly because your interference will probably be of an injudicious kind in this or that particular matter—still less because it will be costly and troublesome to yourselves—but because it tends to spoil, corrupt, and to degrade them; because they will never do any thing, or be fit

for any thing great, so long as their chief political business is to complain of you, to fight with you, and to lean upon you, so long as they consider you as responsible for their welfare, and can look to you for assistance in their difficulties. I protest quite as much against subsidies and subscriptions as against vetoes and restraints; indeed more, for the poison is more subtle, and the chance of resistance less. I want you neither to subsidise their treasuries, nor to support their clergy, nor to do their police duty with your soldiers, because they ought to do these things for themselves, and by your doing it all you contribute to making them effeminate, degenerate, and helpless. Do not be afraid to leave them to themselves; throw them into the water, and they will swim. Depend upon it the greatest boon you can bestow upon colonies is what Burke calls "a wise and salutary neglect." To this rule the Canterbury colony is no exception. It is fortunate for it that the Association's career has been brief as well as effective: now it must go alone. It has been called into existence, it has been given its opportunities, it has been started on its way: henceforth it must work out its own destinies. The Canterbury Association has done its work, and passed away. Its memory may be unhonoured, its members reviled; they care not; they have done their work—a great and heroic work: they have raised to themselves a noble monument—they have laid the foundations of a great and happy people.

SETTLEMENT OF THE DEBTS OF THE CANTERBURY ASSOCIATION.

On the 9th July 1856 about thirty gentlemen, formerly members of this Association, dined together at the Trafalgar Tavern, Greenwich, in congratulation of the satisfactory settlement of the claims of the Association on the colony. Lord Lyttelton presided, and there were present the Bishops of Oxford and St. David's, Lord Courtenay, Sir Thomas Tancred, Bart., Sir Walter James, Bart., Sir John Simeon, Bart., The

Right Hon. Mr. Adderley, M.P., The Hon. J. Stuart Wortley, Messrs. T. Somers Cocks, M.P., F. M'Geachy, H. S. Selfe, Halswell, Charles Wynne, Mantell, Rickards, W. S. Vaux, Godley, Harman, Blachford, and Revs. Messrs. Eyre and Torlesse.

Mr. Godley's health having been proposed by the Chairman in connection with the toast "Prosperity to the Canterbury Settlement," spoke as follows:—

My Lord Lyttelton and Gentlemen—I was not aware until within the last few moments that you intended to do me the honour of coupling my name with the toast of "Prosperity to the Canterbury Settlement," therefore if I were otherwise capable, I am wholly unprepared to make a speech, or to dilate at any length upon the circumstances that have brought us together. Perhaps, however, it is not altogether unsuitable that I, whom the colonists have chosen as their agent and representative, and who am bound to them by stronger ties of personal interest and affection than any other person in this country can be, should stand up here and return thanks for the honour you have done them. It is just three years ago that, upon the occasion of my return from New Zealand, a good number of my personal friends honoured me with an invitation to dinner in this house, and I should be one of the most ungrateful of men if I did not look upon that day, which was marked by the greatest good feeling and harmony, as one of the happiest of my life. Still it was impossible to avoid feeling on that occasion that there was one subject a little difficult to deal with—one subject that it was necessary to pass over lightly—and that was the losses and sacrifices which had been incurred by individual members of the Association. It is true that the money has been well spent, and far be it from me to say that it was grudgingly given, but it is nevertheless not generally a pleasant impression that one derives from finding that a large sum of money intended by those who gave it for one purpose is expended upon another. And it was to a certain extent undoubtedly a sign of failure that the Canterbury Association had to go to private persons to help it out of its difficulties; and that gave rise to taunts

and jeers which it was very difficult to bear or to meet. No one felt this more acutely than I did—no one had a right to feel it more—for no one was more responsible for the undertaking that had given rise to those difficulties and sacrifices. And I knew further that many who were encountering those difficulties and incurring those sacrifices had been led to join the undertaking by their personal friendship for me, though when once they had embarked in it their public spirit and their interest in the undertaking induced them to go on with it, apart from all personal considerations. No one, therefore, feels more grateful than I do that that rock of offence has at length been removed; and for this reason the present is to me a far more satisfactory meeting than the former one to which I began by referring. For now I think we may fairly challenge the world for a precedent and an analogy to this case. Lord Lyttelton has said as much perhaps as is necessary on this part of the subject, and I, as the representative of the colony, am not the person who ought to brag of its good deeds, but as his Lordship has said something about the statistics I alluded to the other day, perhaps he will allow me to put the matter a little more distinctly before you, which I am the more anxious to do as I know there are some here who were not present on that occasion.

Last year the total number of persons in the colony of Canterbury was 4,000, or rather less. Upon this small population a claim was made of about £31,000, to satisfy what was a debt of honour. To meet this claim of £31,000 in part, certain property was offered, producing an annual income of £800, thus leaving a balance to be made up of £1,100 a-year. That is, after the revenue of the property so allocated was deducted, £1,100 a-year was what the people of the colony engaged to meet by taxation. This would average 5s. a-head on the whole population, and would be equal to taxes to the amount of £7,000,000 a-year imposed upon the population of the United Kingdom. Everybody must admit that this was a great burden, and a great sacrifice for a young country that

had everything to meet and provide for, to impose upon itself voluntarily, and I may almost say unanimously. Most of you are aware that the Council of Canterbury is elected by a constituency based upon household suffrage. At the election the members of that Council may be said to have been returned to decide this question of the debt due to the Canterbury Association. Avowedly and professedly that was the object for which they were elected. That being the case, I looked narrowly at the progress of the election, and I can safely say that not only was there no candidate elected who professed himself to be adverse to these claims, but that not a single candidate was proposed who held out upon his flag or indicated in any way a disposition to cavil at the claims of the Association, or to escape from the burden, nor was any disposition of that nature expressed in any of the speeches made by the candidates or their friends during the election. I should like to ask what would be said in this country if so heavy an addition were proposed to the taxation for such a purpose? If the Imperial Parliament were dissolved upon the question of assuming the debt of an absentee corporation, and the question to be decided on the hustings was—should that debt be met by an additional income-tax representing £7,000,000 a-year, there would, I think, be found a strong party in the country to come forward upon the principle that "charity begins and "ends at home," and to advance many powerful reasons why such an obligation should not be recognised; the more so if it were attended, as in the present case, by circumstances which might afford grounds for cavil and criticism.

Having said so much on this matter of the debt I will claim your indulgence while I say a few words upon the position and the prospects of the colony. I will not weary you with statistics, with which you must be already pretty familiar, and which go to prove the great progress the colony has made in material prosperity, and the prospect of the continuance of that material prosperity for the future. I believe there can be no doubt—and in confirmation of this opinion I may refer

to many who are here present, and who can speak from their own personal experience—that there is no new community on the face of the earth in which there is less of failure, less of destitution, less of debt, or less of difficulty of any kind, or in which the elements of both moral and material prosperity are more favourably developed, than that of Canterbury. There have been, indeed, amongst them many elements of prosperity which are extremely rare in new communities. I speak with some knowledge of new countries—knowledge derived both from reading and personal experience—and I know that in all new countries there are great difficulties, great dangers, and much suffering to be encountered by the first settlers; but in Canterbury all these have to a great extent been avoided, and now there is both in moral and material progress as fair a chance for a long history of unchecked prosperity, in all respects, as ever any colony possessed. But, at the same time, I will not deny that, as Canterbury has special and peculiar advantages, on the one hand, so it has special and peculiar dangers and difficulties on the other; and as what I say may probably reach the colony, I will, with your permission, offer a few words, by way of warning, in reference to those dangers and difficulties. The chief of these, as it appears to me, is the danger of the deterioration of the upper class of the population. By the upper class I mean the men of superior intelligence, the men of cultivated minds and high education, to whom we should look to direct the policy of the country and give tone to society. I must confess that I see in Canterbury some danger of the deterioration of this class of the population. That danger, as I conceive, arises from two circumstances—the one the want of labour, the other a deficiency in the means of education; and to remove these causes and avert this danger should now be the great object of all who feel an interest in the colony. The want of labour is, perhaps, the more important of the two causes, for that affects the mainsprings of social progress in every possible way. And I do hope that all who have influence with the people of

Canterbury will endeavour to induce them to submit to the present pecuniary sacrifice, whatever it may be, of keeping up a continuous stream of immigrant labour into the colony; for such is the labour-absorbing power of the country, that if you do not meet it in this way, there will be a constant tendency to make the whole population labourers, and thus eliminate the means of cultivating intellect. The second cause—want of educational institutions—is possibly of less importance, especially when the other is removed; for if people have leisure and money they will of themselves create the means of education. At the same time, it is highly desirable that at the very beginning they should have a sound system of education established, and such a system, if once set a-going, will always, it may be hoped, keep the population up to a high intellectual standard. Nothing is more certain than that the disinclination most people have to emigrate arises from the fear that they will have to separate their children from them, and to send them home to be educated. Remove this difficulty, and the complaint of the want of good society in the colonies will cease. Well, the question follows, what can we who are here at home do to aid the colony in overcoming these obstacles? As to the want of labour, that is a difficulty that must be met by the colonists themselves; but there are few here present, I apprehend, who are not called upon, from time to time, to give advice and sometimes aid to emigrating labourers. On such occasions, I would ask you not to forget the claims of Canterbury. There is no country in the world where the steady industrious labourer is more likely to prosper, or where his labour is more appreciated. In this way you may, to some extent, assist the colonists in supplying the want of labour. As to the other point, the want of education, two or three gentlemen have asked my opinion as to how they could most usefully express their feelings in regard to what the colony has done in the matter of the claims of the Canterbury Association, and I have always told them that anything in the shape of encouragement to education would best promote the

permanent interests of the colony. I leave it to you to consider whether something may not be done here for that purpose.

Perhaps I may now be permitted to say a word or two, and a word or two only, in reference to my own connection with the Canterbury Association. This, as your Lordship has observed, is the last time at which the members of the Association will meet in anything like a corporate capacity, and I cannot address them as a corporation for the last time, without thanking them earnestly for the great kindness and confidence and personal regard that has been evinced towards me both by the members of the Association and the colonists. I cannot trust myself to speak upon this part of the subject as I ought to speak. My feelings will not allow me to express myself in other than in a most imperfect and unsatisfactory manner: I will therefore leave this topic, and I will only add, in conclusion, that I hope the members of the Canterbury Association, now that their official connection with the colony has come to an end, will not lose their interest in a Settlement that owes its existence to them; certain as I am that they will carry to their graves the conviction, that never have they employed their time and their labour and their money in an undertaking that will conduce more to the happiness of their fellow-creatures, or redound more to their own honour.

At a dinner to the late Superintendent of the Province of Canterbury, at the Albion Tavern on the 23rd November 1858, Mr. Godley was again called on to respond to a toast in which his name was connected with the Colony of Canterbury, and spoke in reply as follows:—

My Lords and Gentlemen—It is with very hearty feelings of satisfaction and pleasure that I find myself year after year attending these social meetings of the friends of Canterbury—such meetings as I believe no other colony can show—meetings eminently characteristic of the social, genial, and friendly feelings which have always marked the efforts of the friends of

Canterbury, and which have contributed in no small degree to its success. I should certainly feel extremely diffident of my own power of returning thanks for the colony of Canterbury —indeed, I should feel as though it was not my place to do so —if it were not, as your Lordship has said, that I have been more intimately, and longer, and more essentially connected with that colony, even than most of those who have been actually colonists. I have been, as I was recently told by a writer in a daily newspaper, "The notorious author of the "great Canterbury failure." At least, then, I have a right to speak a word in my defence, and to represent the case as it is. After the speech which Mr. FitzGerald has just made it would ill become me, however, to detain you more than a very few minutes; but I wish, on the part of the colonists whom you have done me the honour to allow me to represent, to make some very few additions to the statements which Mr. FitzGerald has laid before you as to the progress and prospects of the colony. He has told you that the exports of Canterbury were in the last half-year £109,000. I should like to add to his statistics the statement that the public revenue of the colony during the last six months amounted to £48,000; that is to say, that it has a revenue amounting to £96,000 a-year. And I want to point that particularly, because figures do not generally leave any strong impression upon the mind—I want to point it by saying that, in proportion to the population, that is more than double the amount of public revenue any community has ever had to dispose of since the world began. It represents £14 a-head upon the whole number of the people of Canterbury, and is equal, therefore, to what the revenue of this country would be if it amounted to £420,000,000. The revenue of the British Empire averages about £2 per head, and the revenue of the richest community in the world, up to this time—I mean Victoria—amounts to about £8 per head; that is, with a population of nearly half a million, it has a revenue of three millions and a-half to dispose of; while Canterbury, with a population of 7,000, has £96,000 revenue.

As Mr. FitzGerald has shown, the exports of the colony show equal prosperity, and I think I may say that the moral progress of the people, their advance in religion and education, quite correspond with their material progress.

No doubt there are great drawbacks in the colonial life of Canterbury which we are endeavouring to correct. These are principally the want of labour and the want of education. To meet the first of these drawbacks—the want of labour—Mr. FitzGerald is sending out ships freighted with emigrants, at the rate of a 1,200-ton ship a month; and to such an extent has the introduction of labour in this way gone on, that from March 1858 to March 1859 the population will have been increased by 2,000 people, or 20 per cent. I see, too, that great efforts are making to remove the other great drawback —the want of education—by the organisation and establishment of a higher school, a grammar-school and college, and by the exertions which the Bishop has made, in his own energetic manner, to organise a staff of clergy to visit the various stations at regular intervals. Therefore I think I may say that the moral progress which Canterbury presents corresponds with its material progress.

I will now say one word on the special topic of this evening. There is no person present, I believe, who has had so much to do with, or seen so much of, Mr. FitzGerald, in both his public and private capacity, as I have. Therefore I may speak with the force and authority of an eye-witness of his work in the colony. Upon this part of the subject others have spoken of what they have heard and read; I speak of what I have actually seen. Mr. FitzGerald was the first who landed in Canterbury after the Settlement was founded, and I never shall forget the emotion with which I threw myself into his arms when he landed. Both of us, I am sure, will look back on that moment as one of the most affecting and memorable of our lives. When he came out he had special duties to perform in connection with me, which he performed with that energy which he brings to bear upon everything in which he

engages. And he had a still higher duty, for he was the editor of a newspaper, and, as such, undertook the responsible task of providing the intellectual food, the material for thought, and the incentive to action, for the young community. In such a community it was all-important that the editor of the first newspaper should be a man of high aims and aspirations; and by the manner in which Mr. FitzGerald edited the newspaper, which we commenced the first week after the colonists landed, he rendered as essential a service as was ever rendered to a colony. I will venture to say that any man who was in the habit of reading the *Lyttelton Times* of that day will agree with me that no newspaper was ever conducted with loftier aspirations or with a more honest desire to elevate and raise the tone of the people amongst whom it circulated. There is nothing for which the colonists have to thank Mr. FitzGerald more than that great work, which was mainly instrumental in introducing that tone and feeling which have remained the characteristics of social life in Canterbury ever since. So far as I know, the colony of Canterbury affords the only instance of a small community where there are two newspapers which do not abuse each other. I read them both regularly, and can assure you that they actually praise each other, and I believe that to be a miracle without parallel. I read the *Canterbury Standard* and the *Lyttelton Times*, and I do not believe that I have ever found in either a word of abuse against the other. I attribute that, and the good feeling that prevails amongst the colonists generally, to the manner in which the *Lyttelton Times* was conducted by its first editor; and I have remarked that in all the public affairs of the colony Mr. FitzGerald has always dealt with them in such a way as showed that he was ever conscious of the moral dignity of his position. There is no position on earth where men of similar capacity and means —men of that class to which our colonists generally belong— can exercise such immense influence and acquire such immense power as that in which those who first go out to a new colony, and become the seed-plot and nursery of a new nation, find

themselves; and unless we keep continually before their eyes the power and the deep responsibility that ought always to be connected with that power, there is a danger of the whole course of the growing nation being turned to degeneracy. If the founders of the American Republics had been formed of the same materials as the settlers of California, the genius and liberties of America would have been lost in anarchy or absorbed in an inevitable despotism. It was because, on however small a scale, they were senators and soldiers, impressed with a due sense of the heavy responsibility that rested upon them, and not mere money-getters, that they succeeded in laying the foundations of the greatest republic in the world. They never lost sight of the responsibility of the task they had undertaken—they felt that they were going for a high position in the eyes of the world, and to set an example for all ages. Feeling this, the early settlers of New England accomplished their mission, and it has always been the great endeavour of my friend Mr. FitzGerald to keep constantly before the eyes of the first colonists of Canterbury the duty which they, in like manner, have undertaken, and I cannot tell you how much I appreciate the good he has done in that way. I have taken up more of your time than I intended, and I will only further express on behalf of the colonists of Canterbury, whom you have done me the honour to allow me to represent in connection with this toast, the great pleasure and gratification which they will feel when they know the manner in which their most distinguished representative, Mr. FitzGerald, has been received by this company, and their hope that he will shortly be enabled to return, with renewed health and vigour, to resume the heroic career that has been temporarily interrupted.

ON THE MILITARY DEFENCES OF COLONIES.

THE following papers are included in this publication, because they were Mr. Godley's work. It was at his instigation that the subject was taken up by the War Office, in which he then held an important post. The Departmental Committee appointed to investigate the subject of Military Defences for Colonies consisted of himself, Mr. Hamilton, the Under Secretary for the Home Department, and Mr. Elliott, the Assistant Under Secretary for the Colonies. Mr. Elliott's separate Report is added in order that Mr. Godley's Memorandum which follows it may be intelligible. The evidence given by Mr. Godley before the Committee of the House of Commons appointed to consider the Reports is also added to complete the subject. The latter may be said to have been the last public work in which he was engaged before his death in five months afterwards.

REPORT OF THE COMMITTEE ON THE EXPENSE OF MILITARY DEFENCES IN THE COLONIES.

FROM SIR BENJAMIN HAWES TO MR. MERIVALE.

War Office, *March* 14, 1859.

SIR,—I am directed by Secretary Major-General Peel to request that you will represent to Secretary Sir E. B. Lytton that so great is the difficulty and embarrassment occasioned to this Department by the absence of any fixed and recognised principle for the guidance of the Secretary of State in determining the numerous questions of military expenditure which are continually arising in most of the Colonies, that Major-General Peel feels it to be highly desirable that steps should be at once taken for coming to an understanding with the several Colonies concerned on the subject.

So long as the Secretary of State for War was also Secretary of State for the Colonies, the inconvenience referred to was of course less seriously left, inasmuch as the Minister who filled the joint offices possessed means of information as to the actual requirements of the Colonies, and their ability or not to defray the cost involved, which enabled him readily to decide for himself how far it would be proper to grant or to refuse

demands submitted to him from time to time for troops, military stores, &c. The duty and responsibility of dealing with such demands, and of explaining and defending to Parliament the expenditure incurred or proposed in respect of them, now devolve on a Minister who has no official knowledge of the political and social circumstances of the Colonies, and no means of communicating with Colonial Governments. It appears to General Peel that the adoption of arrangements which should define the respective liabilities of this Department and the various Colonial Governments, in respect to military expenditure, would relieve the Secretary of State for War from the difficulty in question, and would at the same time be more conducive to the interest and convenience of the Colonies themselves.

That such arrangements are practicable, and, where they do exist, are found to work satisfactorily, is proved by the example of Malta, Mauritius, the Ionian Islands, and Ceylon, which pay a contribution into the Exchequer in aid of military funds; and again by the example of New South Wales, Victoria, and South Australia, which pay for military buildings and defences, and which are to defray the pay and allowances of any troops whom they may require beyond a specified number maintained from the Imperial Exchequer. Major-General Peel would now propose to extend the principle of those arrangements to the rest of the Colonies, with such modifications as the variety of their circumstances may render necessary.

The general principle to be borne in view in negotiating with Colonial Governments on this subject would be, as General Peel conceives:—1st, that England should assist in the defence of her Colonies against aggression on the part of foreign civilised nations, and (in a less proportion) of formidable native tribes; but in no case, except where such Colonies are mere garrisons kept up for Imperial purposes, should she assume the whole of such defence. On the contrary, she should insist, as a condition of her aid, that the Colony should

also contribute its share by maintaining, at its own expense, a local force, or, if circumstances appear to make that impossible, by paying part of the expense of the Imperial garrison; and, 2nd, that military expenditure, for purposes of internal police, should be defrayed from local funds, there being no grounds for drawing any distinction between a Colony and an independent nation in this respect; and the preservation of internal peace and order being properly thrown upon local authorities, both because it depends upon their own legislation and management, and because the local population is mainly, if not exclusively, interested in it.

These being the general principles on which General Peel conceives that the arrangement to be entered into with the respective Colonial Legislatures should be based, he would, in the event of their being concurred in and adopted by the Secretary of State for the Colonies and the Lords Commissioners of the Treasury (to whom a corresponding communication has been made), suggest that the business of preparing for the consideration of Her Majesty's Government a scheme for the application of them to each Colony, should be confided to a committee, consisting of three members, one to be nominated by the Secretary of State for the Colonies, one by the Lords of the Treasury, and one by the Secretary of State for War.

I have, &c.,

(Signed) B. HAWES.

H. Merivale, Esq., &c., &c.,
Colonial Office.

REPORT.

IN obedience to the instructions which we have received, we have inquired into and considered the relations of the Colonies of Great Britain to the mother country, as regards the expenditure on their military defence.

The duties imposed on us were explained in a letter from General Peel, to the Secretary of State for the Colonies, dated 14th March 1859, in consequence of which the committee was appointed. A copy of the letter is appended. In that communication General Peel states :—

That he feels great difficulty and embarrassment from the absence of any fixed and recognised principle for the guidance of the Secretary of State for War, in determining the numerous questions of military expenditure which are continually arising in most of the Colonies; that he considers it highly desirable that steps should be at once taken for coming to an understanding with the several Colonies on the subject, and that it appears to him that the adoption of arrangements which should define the respective liabilities of the War Department and the various Colonial Governments in respect of military expenditure would relieve the Secretary of State from the difficulties in question, and would at the same time be more conducive to the interest and convenience of the Colonies themselves.

The principles suggested by General Peel as the basis of such arrangements are as follows :—

1. England should assist in the defence of her Colonies against aggression on the part of foreign nations, but in no case, except where such Colonies are mere garrisons kept up for Imperial purposes, should she assume the whole of such defence; but, on the contrary, she should insist, as a condition of her aid, that the Colony should also contribute its share by maintaining at its own expense a local force; or, if circumstances appear to make that impossible, by paying part of the expense of the Imperial garrison; and,

2. Military expenditure, for purposes of internal police, should be defrayed from local funds, there being no grounds for drawing any distinction between a Colony and an independent nation in this respect, and the preservation of internal peace and order being properly thrown on local authorities, both because it depends upon their own legislation and

management, and because the local population is mainly, if not exclusively, interested in it.

General Peel concludes by proposing that a committee shall be appointed to prepare a scheme for the application of these principles to each Colony.

In conformity with these views, which were concurred in generally by the Lords of the Treasury and the Secretary of State for the Colonies, we submit the following Report:—

We desire to state at the outset, that while willing to apply our best judgment and means of information, in obedience to the instructions of Her Majesty's Government, we feel sensibly the peculiar difficulties of the task imposed upon us. Few political questions involve greater difficulties and matter of more grave consideration than the relations between England and her colonial possessions—relations to which, as a whole, whether we consider the extent of those possessions, the diversities of race, interests, position, and circumstances which they comprise, or the various titles of conquest, treaty, and colonisation by which we hold them, there appears nothing even remotely analogous in the history of the world.

In suggesting therefore, changes of an important character in those relations, we feel that we are dealing with questions of policy which properly belong to the higher departments of Government, and that our plans may be open to practical objections of which we have no means of estimating the force.

But though conscious of our disadvantages in this respect, we have thought it our duty not to shrink from stating fully and plainly our own conclusions, however imperfect, on the matter referred to us, especially as Her Majesty's Government will have no difficulty in applying to them the necessary qualifications.

The first point to which it is our duty to call attention is the fact that the Colonies of Great Britain may be said, speaking generally, to have been free from the obligation of contributing, either by personal service or money payment, towards their own defences—a state of things which we

believe to have no parallel or precedent in the case of any other organised community of which the history is known.*

We subjoin a return of the military force and the expenditure for military purposes in our Colonies for 1857-8, the last year for which we have complete accounts.† It will be seen that, including the cost of the Cape German Legion, the military expenditure amounted to £3,968,599. Of this only £378,253 was contributed by the Colonies, being less than one-tenth part of the whole; and of that contribution about two-thirds were paid by three Colonies, New South Wales, Victoria, and Ceylon. It is remarkable that no Colony except Canada, and, to a very small extent, Victoria, the Cape, and one or two of the West India Colonies, had organised a militia or other local force.

We consider that this immunity, throwing as it does the defence of the Colonies almost entirely on the mother country, is open to two main objections. In the first place, it imposes an enormous burden and inconvenience on the people of England, not only by the addition which it makes to their taxes, but by calling off to remote stations a large proportion of their troops and ships, and thereby weakening their means of defence at home. But a still more important objection is, the tendency which this system must necessarily have to prevent the development of a proper spirit of self-reliance amongst our Colonists, and to enfeeble their national character. By the gift of political self-government, we have bestowed on our Colonies a most important element of national education; but the habit of self-defence constitutes a part hardly less important of the training of a free people, and it will never be

* It is worth while to note, as showing by contrast the liberality with which England treats her Colonies, the financial relations between those of the only two European nations besides ourselves which possess Colonies of any importance, and the mother countries. In 1857 (the last year for which we have been able to obtain a financial statement) the surplus revenue paid by the Dutch Colonies into the metropolitan exchequer, after defraying all their military and naval expenses, was 31,858,421 florins (about £2,600,000. The estimated surplus revenue from the Spanish Colonies for the past year 115,000,000 reals (about £1,150,000.) *Ministerial Statement in the Dutch Chambers; (Journal of the Hague, November* 9, 1859.) *Anuario Economico-Estradistico de Espana for* 1859.

† See note at the end of this Report.

acquired by our Colonists if we assume exclusively the task of defending them.

Next to the inadequacy of the contributions of our Colonies towards their defences, the most conspicuous defect in the present system is its inequality as among the Colonies themselves. For example, the colony of Victoria paid in 1857-58 about two-thirds of its ordinary military expenditure, and has this year in addition voted large sums for fortifications. In the same year, Ceylon paid about two-fifths, and Canada one-fifth part respectively, of their whole military expenditure; while Nova Scotia, New Brunswick, Tasmania, New Zealand, and many other Colonies paid nothing at all. Above all, there is the gigantic anomaly of the expenditure on the Cape. We cannot avoid calling the especial attention of Her Majesty's Government to the drain on British resources which has resulted from our undertaking the defence of this Colony, and to the inadequacy of the benefits resulting to British interests. As affording a field of emigration, a supply of our wants, or a market for our produce, our connection with the Colony has not been, comparatively speaking, of any considerable advantage to us; in fact, the only direct object of Imperial concern, is the use of the roadsteads at Table and Simon's Bays. Yet in 1857-58, a period of exceptional tranquility, we had at the Cape, including the German Legion, a garrison, or rather an army, of 10,759 regular troops, and the military expenditure alone was £803,687, equal to more than one-fifth of the expenditure on the whole of the Colonies, including the Mediterranean garrisons. Since that time the force has been materially reduced, but this year new works have been begun (at the expense of the Imperial Treasury); and the general officer commanding has informed the Governor that if they are to be completed, manned, and armed, he will require an additional force to be placed at his disposal of at least four regiments of infantry, 850 artillery, 400 cavalry, and a proportion of engineers. On the other hand, the whole contribution of the Colony to the enormous cost of its defence consisted in

a small body of frontier police, the expense of which was £34,403.

Nor is the inequality in our mode of treating our Colonies less remarkable than that of their contributions. For example, though the people of Victoria contribute, as we have shown, most liberally and largely, we have lately, at great expense and inconvenience, removed part of the regiment quartered there, on the express ground that Victoria refused to pay for more than four companies, to Tasmania, which not only does not pay for those troops, but contributes nothing in any shape to military purposes. Again, we have removed the troops from Antigua, on the ground that the Colony would not provide barracks for them, to Barbadoes, where we provide barracks for them ourselves. Again, Canada is the first British Colony which has set the example of organising a militia; she has done this entirely at her own expense, including the arming and clothing of the men, and we have refused to contribute anything towards it, going so far as to demand payment for some great-coats and smooth bore muskets, which happened to be in store on the spot, and which we issued to them. Yet at the same time, we are distributing, gratis, from the store at Quebec, a large quantity of the best Enfield rifles to Nova Scotia, New Brunswick, and Newfoundland, for the use of volunteers, although we have never been able to induce those Colonies to organise a militia, or to contribute one farthing, in any shape, towards their own defence.

A further anomaly exists as regards the issue of "colonial allowances" to Her Majesty's troops. In some Colonies, viz., Victoria, New South Wales, South Australia, Ceylon, and Mauritius, very liberal allowances are given by the Colonial Governments to the officers, and, in the three first cases, to the men, over and above what they are entitled to by regulation. The results of this exceptional liberality are,—

1. That the Imperial Government is in a manner forced to give corresponding allowances in neighbouring Colonies, although it may not consider them to be called for. This is

actually the case as regards Tasmania and New Zealand, where the Secretary of State decided that the time was come for such allowances to be discontinued; but where it was found practically impossible to carry that decision into effect so long as the neighbouring Colonies continued to give them. 2. That troops serving in Colonies of which the Governments are not so liberal are placed at an invidious and unjust disadvantage; there is as much reason for giving extra allowances at Jamaica and Demerara as there is at Ceylon or Mauritius, although the former do not choose to give them, and the latter do. 3. That the remuneration given to the Queen's troops, enlisted for general service, is made to fluctuate at the pleasure of Colonial Governments, and according to the state of their finances; which appears to us objectionable and improper.

It is not surprising that a state of things so anomalous and irregular should lead to disputes and confusion. Not a year passes without the occurrence of difficulties and discussions with regard to the respective liabilities of the Imperial and the Colonial Governments in every part of the world; and it is to be observed, that such questions are never settled; they are adjourned for the moment, leaving behind them often much soreness on both sides, and the Imperial Government almost invariably yielding the points at issue; but the next year, or the year after they are raised again, there being no recognised principles of mutual relations to which appeal can be made, or upon which a permanent settlement can be founded.

Having pointed out, as above, the evils of the present system, we proceed to submit our proposals for altering it. Before doing so, it will be convenient to state the general principles on which we believe such alteration should be founded.

In the first place, while we recognise to the full extent the obligation which devolves on Great Britain of assisting her Colonies to defend themselves against foreign enemies, we maintain also that this obligation is discharged by doing, or

offering to do so, on fair and liberal conditions; and that she is by no means bound to relieve them of the whole responsibility of self-defence. It must be borne in mind, that the interests of the Colonists in repelling aggression upon them is primary and direct; that of Great Britain indirect and secondary. While, therefore, it seems right that the Colonists should, as a rule, decide on the extent and nature of their own defences, and have generally the control and management of them, it is unjust to throw the whole burden of expense on the less interested party.

In the second place, we submit that a system of defence, based upon the presence of Imperial garrisons, in every part of the empire, is as inefficient as it is burdensome; and that the right system would be one based on local efforts and local resources.

All history shows (what is indeed evident *à priori*) that the maintenance of dominion over scattered and distant territories depends either on the nature of the countries and their population, or upon the command of the sea. It is not physically possible, even if it were desirable, to maintain in fifty Colonies expensive fortifications and garrisons, adequate to stand regular sieges against powerful expeditions. With great efforts and at enormous expense, for what are supposed to be great objects, a few such garrisons are maintained out of Imperial resources at military posts, and with them we do not suggest any interference; at least they are calculated to effect the objects for which they are intended. But no nation could carry out such a system all over the world; no nation, in fact, has ever carried it so far as this country now does in the exceptional instance to which we have referred. The retention of the rest of our Colonies must depend not upon their garrisons, but upon the other means of defence which we have mentioned. The principal defence of such Colonies, so far as it depends upon the mother country at all, consists in her naval superiority; the real question as regards those which have no inherent powers of resistance being, not which power

can first occupy the disputed ground, but which, on the whole, and in the end, can bring the greatest amount of force to bear upon it. For example, if we have 1,000 men in Jamaica or Trinidad, it is probable that we may lose them when the French or Americans can bring 2,000 or 3,000 to bear on them, and so on.

Colonial garrisons (when not very large, and in first-class fortresses,) have always found themselves in traps, and at the mercy of naval expeditions. Take the case of the Cape in the revolutionary war, when it had only 20,000 European inhabitants. For many years the Dutch had had a large garrison there, kept up at great expense, with a view, of course, to its defence in war. In 1795 a British expedition landed, and almost without resistance, the garrison laid down its arms. We restored the Cape to the Dutch at the peace of Amiens, and, untaught by experience, they sent another garrison there. When the second war broke out the same thing happened, and we got a second batch of prisoners of war. In short, our fleets employed themselves, during the first years of the war, in sweeping up, as it were, into a net all the colonies belonging to all other nations, in every part of the world, and in making prisoners of their garrisons; and there is hardly a single instance where there was resistance, worthy of the name. In the event of another war, if we retained the command of the sea, we could take Java, Martinique, and Guadaloupe, whenever we thought it worth while. On the other hand, we should lose all our Colonies which do not possess natural and internal means of defence, if we had for our antagonist a power, or a combination of powers, able to command the sea and desirous of taking them.

The condition, then, of a successful attack on any such Colony, would be either permanent command of the seas, or such a temporary command as would enable the enemy to land an expeditionary force powerful enough to conquer the country, and hold it against any subsequent attacks on our part. In neither of such contingencies would the present

garrisons be capable of defence, especially as, with very few exceptions, the fortified places in these Colonies are so weak as to afford them hardly any protection; and accordingly, at every rumour of war, there comes from the Governor of every Colony a cry of distress, representing his unprotected state, and asking for reinforcements.

It is true that these garrisons, though insufficient to stand regular sieges, may sometimes be able to repel what are called "insults," *i.e.*, aggression by flying squadrons or partisan bands. But such an object is not worth the expense of keeping up permanent garrisons in open towns. It is inconsistent with the practice of modern warfare to plunder private property, and the Government property at such places is hardly ever worth plundering. Indeed, fortifications and garrisons, unless really strong, are more likely to do harm than good, the towns being more likely to suffer in the engagement than if they were totally undefended. Besides, these are contingencies which local efforts should meet, both at home and abroad. The general Government has enough to do in providing for the defence of the country at its vital points. It is obviously incapable of protecting every commercial harbour and colonial capital. It is to be remembered that the question is one of comparative advantages and claims. Deducting the garrisons of the Mediterranean stations, and of the other Colonial possessions which are simply military posts, in 1857-58 about 27,000 regular troops were employed, and more than £2,000,000 of money was spent on the military defence of the rest of the Colonies; and we cannot but feel convinced that those troops, and that money might be more usefully employed, indeed more usefully for the Colonies themselves, because in a manner more conducive to the general security and welfare of the Empire. There are between four and five thousand men, for example, scattered about, in detachments of a few companies each, in the West Indies; and yet there is not a post in the whole command which they could hold for a week against a hostile expedition. It seems to us clear that that

number of soldiers would be far more serviceable to the Empire if stationed in England, and that the cost of them, spent on sailors, would contribute more effectually to the defence of the West Indies themselves, than the present arrangement.

We have said that, so far as assistance from the mother country is concerned, the chief thing which most of our Colonies must look to for defence against foreign enemies is our navy. But a more efficient safeguard for most of them is to be found in their situation, and in the numbers and character of their population. Take, for example, the case of the provinces of British America, which are the only Colonies exposed to aggression by land. Of these the whole question of the successful defence depends on the wishes and feelings of the people themselves. If they were ill-affected, or even indifferent, no possible military efforts on our part could defend them in the case of war with America. On the other hand the Americans could never subdue and retain in subjection the British provinces, so long as the latter are determined not to accept their dominion. It is quite true that we could assist the Colonists very materially, but it is not necessary to keep up garrisons in time of peace for that purpose. No invasion of Canada by any power but the Americans is even conceivable; and no serious invasion of Canada by the Americans can be made without many months of preparation. They have no machinery or organisation for such an enterprise; while in much shorter time we could send troops there, if we wished it and could spare them. Against incursions by "filibusters" or "sympathisers," the Canadians ought to be, and are, quite able to protect themselves. Indeed, it is a remarkable fact, that no Colony having more than 20,000 European inhabitants has ever been conquered by a foreign enemy, except in the single instance of Canada itself, of which the population, at the time of its conquest, was 60,000; but which was in the singularly unfavourable position of being the only French colony in that part of the world, and attacked, therefore, not

only from the seaward by a power superior at sea, but by a warlike population of British colonists on its land frontier.

We repeat, then, that the real and sufficient protection to the independence of our Colonies consists, either first, in their remote and insulated positions, which make it highly improbable that any power could or would organise naval and military expeditions sufficiently powerful to take and keep them, or, secondly, in local circumstances, such as the nature of the country and the character and numbers of the population, which render it practically impossible to invade and conquer them, at any rate before assistance would arrive from this country. The West Indian Islands come under the first category; British North America under the second; Australia, New Zealand, Tasmania, and the Cape under both.

We have said enough to explain and illustrate the proposition which we began by laying down, viz., that it is not necessary or desirable for the interests of the Empire generally, nor in reality of the Colonies themselves, to undertake their defence by small and scattered Imperial garrisons. We now come to practical recommendations. Two plans only have suggested themselves for obtaining from the Colonies a reasonable contribution towards their military defence.

One is the extension to all the Colonies of an arrangement made by Lord Grey (and modified by Mr. Labouchere) with New South Wales, Victoria, and South Australia. By that arrangement it was provided that the Imperial Government should maintain in each of the Colonies referred to, such a body of troops as it considered to be, in Mr. Labouchere's words, "sufficient for Imperial purposes," and that the Colonies should pay for all military buildings and other local defences, as well as for any troops beyond the force above specified, which they might ask for and obtain.

This arrangement has undoubtedly many advantages, and, as regards the Colonies in question, it has been very favourable to the British Exchequer, inasmuch as they pay by far the

larger proportion of their military expenses. Nevertheless, we do not recommend it for general adoption, for several reasons. In the first place, we do not consider that the basis on which it rests is sound. We think, on grounds which we have already and fully explained, that it is not desirable "for Imperial purposes," to scatter small garrisons, in open or ill-fortified places all over the world, to which the system in question practically tends. In New South Wales, the force decided upon as "necessary for Imperial purposes" is four companies of infantry; in Victoria, the same amount; and in South Australia one company. Whilst this dispersion is admitted to be very prejudicial to discipline and organisation, and to involve the necessity of a disproportionate staff, we believe the force thus disposed of is not so usefully employed "for Imperial purposes," as it might be at home. We believe Imperial interests to be best consulted by keeping garrisons only in places which are calculated to resist invading expeditions, and by making the garrisons in those places really efficient and adequate.

Secondly, we do not understand how any arrangement founded on these principles could be made equally applicable to the fluctuating circumstances of different periods, especially to peace and war. If it be held, for example, that four companies are necessary "for Imperial purposes" at Sydney in time of peace, it seems to follow that a larger number would be necessary in time of threatened war, and a larger still in time of actual hostilities; in short, that the number required would fluctuate in proportion to the danger; while, whenever the force was augmented or diminished, a fresh negotiation would have to be entered into for the purpose of determining the respective proportions in which the expense should be defrayed.

Thirdly, we dissent from the argument founded on joint interest. If England was considered bound to contribute towards the defence of her Colonies merely because she is interested in their defence, it might fairly be argued that the

obligation is reciprocal, and that the Colonies, being deeply interested in the safety of England, ought to contribute systematically and habitually towards the defence of London and Portsmouth. But the ground on which we hold that England is bound to contribute towards the defence of her Colonies is, that the Imperial Government has the control of peace and war, and is therefore in honour and duty called upon to assist them in providing against the consequences of its policy.

Finally, we believe that if we take upon ourselves the initiative in the defence of our Colonies, by assigning to them garrisons, however small, those garrisons will be taken as symbols of our responsibility, and their presence will tend to perpetuate the main evil of the present system, namely, the dependence of the Colonies on the mother country for defence, and their neglect of local efforts.

Having come for these reasons to the conclusion that it is not desirable to confirm and extend the arrangement referred to, we submit, as the result of careful and anxious deliberation, the following plan for the consideration of Her Majesty's Government:—

We propose to divide the Colonies (so called) into two classes. The first class would consist of military posts, in which, for objects altogether independent of and distinct from the defence of the particular countries in which they are situated, the Imperial Government thinks it necessary to maintain garrisons—such as Malta, Gibraltar, Corfu, Bermuda, and a few more of similar character. So long as these posts are held at all, they should be adequately fortified and garrisoned, but we are of opinion that as the garrisons of them are maintained without reference to the wants and wishes of the inhabitants, they should be dealt with exceptionally, and not included in any general scheme of Colonial contribution.

The second class would comprise all the rest of the Colonies, that is, all those where troops are stationed primarily, if not exclusively, for the defence of the lives, liberties, and

properties of their inhabitants. We propose that, as regards these Colonies, the system of defence should be founded on two simple principles, colonial management, and joint contribution at a uniform rate. We propose that the Imperial Government should call upon each Colony to decide on the nature of its own defences, and the amount of its garrison, and should offer to assist it by bearing a share (say, half, or any other proportion which may be fixed), of the entire cost; specifying at the same time a maximum sum beyond which this country should not be called upon to contribute without a further agreement. It seems to us essential that this arrangement, if adopted at all, should be uniformly applied, in other words, that adhesion to it should be a *sine qua non* of our incurring any expense in the defence of a Colony of the class now under consideration. If it were adopted, some Colonies might choose to form a militia or to have corps enlisted for local service, like *e.g.* the "Canadian Rifles." In these cases they would organise and pay their forces as they might think fit, and the Imperial contributions would be paid into the Colonial exchequer without further interference than would be necessary to satisfy ourselves that they were expended in accordance with the agreement. Other Colonies might prefer being garrisoned by troops of the line, and paying their fixed share of the entire expense of such troops. In these cases the Imperial Government would first consider whether it could spare them; and would assure itself that the number asked for was sufficient for its purpose, and not open to the objections which exist to small and scattered garrisons, and also that the force would be adequately provided for as regards pay, allowances, and barracks; and it would only send the troops in case of their being no objection on any of these grounds. It would also be necessary to have a clear understanding that all the troops so sent would be at the disposal of the Imperial Government in case any emergency should require them to be withdrawn.

We find that a plan very similar to this was proposed by

the Governor of New South Wales—Sir W. Denison—and his responsible advisers, to Her Majesty's Government, and supported by the Governor in an important dispatch, dated 14th August 1856. The proposal of the Colonial Government was: "That whatever may be the mode in which the military force "in a Colony may be raised and organised, the mother country "and the Colony shall contribute towards its expense in equal "proportions, and that the Government of the Colony should "have the responsibility of determining the amount of that "force, whether in peace or war." It goes on to offer, as part of the same arrangement, to bear exclusively the cost of keeping up all fortifications, barracks, and all military buildings, on condition that those then existing should be handed over to the Colony; thus accepting considerably more than half the annual cost of the whole military defence, and making the proportion of the respective contributions a varying one. In reply to this dispatch, Lord Stanley wrote (11th March 1858) in the following terms:—"This proposal has the great "merit of simplicity, and of being calculated to dispense with "minute changes of plan, and to obviate disputes. But as it "would seem difficult to adopt it unless your further proposal "were incorporated with it, that the Colony should possess, "through the vote of its Legislature, the responsibility of "determining the amount of force which should be maintained "in it, both in peace and war, Her Majesty's Government, as "at present advised, do not see in what manner the suggestions of the Colonial Government can be carried out without "compromising the independent action of the central Government of the Empire. If every Colony were to assert a voice "in this matter, I do not see in what manner the general "defensive arrangements of the Empire could be conducted."

"Her Majesty's former advisers therefore came to the "opinion (from which, as far as I have yet been able to consider the subject, I see no reason to dissent), that for the "present it was better not to alter the present system."

It will be seen that the refusal of the Secretary of State to

entertain the proposal was expressed in very qualified terms, and that it rested entirely on a single difficulty, which we cannot but think may be easily removed. It is, that if each Colony settled the amount of its military force, the general defensive arrangements of the Empire might be interfered with, which we understand to mean that if a Colony had the right of fixing the amount of its garrison, it might ask for more troops than the mother country, having to consider the general defence of the Empire, could spare. It appears to us that this difficulty may be obviated by retaining in the hands of the Imperial Government the power of deciding whether it could spare the troops asked for, and refusing them if it could not. Indeed, such a power must be a necessary incident of any arrangement, including that made by Lord Grey with the Australian Colonies; and under the one which we propose it would involve no hardship on the Colony, which would only pay its share of maintaining the troops which it actually got. India, which pays for all the troops we send her, only gets those which we can spare, and so it must be with every part of the Empire. But, in fact, we feel confident that the difficulty would never arise. If the Colonies paid half, or any large proportion of the entire cost of the force we sent them, they would, in almost every case, reduce that force far below what we now maintain there, and trust to local efforts for defence.

There is one objection which is likely to be urged against our plan, which we think it better to notice by anticipation. We mean an objection to laying down a uniform rate of joint contribution. It may possibly be said that one Colony is more exposed to foreign aggression, or less able, through poverty or the nature of its population, to provide against it than another, and that we ought to apportion our aid to the wants of each, not to the amount of its own efforts. The objection in question is founded on a different view of the nature and ground of the obligations of the mother country from that which we entertain and have endeavoured to express. We consider those obligations to be founded on the peculiar relation

between the mother country and the Colonies, by which the exclusive control over peace and war is vested in the former, and that relation, it is needless to observe, is uniform and common to every Colony in the Empire; but it is not in accordance with possibility that we should equalise the natural advantages and disadvantages, whether in relation to military or civil affairs of the different Colonies respectively. Just as the richer and more favourably circumstanced among them are able to have more expensive and complete systems of civil administration, more highly paid officers, better schools, hospitals, and gaols, so it is natural and inevitable that they should have, if they please, more effective and costly defences. Poor nations, like poor individuals, must be content to be less well off than rich ones: and, as regards the particular disadvantage now in question, it is to be observed, that the poorer the Colony the less is the temptation to attack it. Practically, too, the difficulty of estimating the respective needs and resources of Colonies would be so great, that any system of defence, founded on such estimate, would lead to as much injustice, discontent, and unsettlement as that under which we now suffer; while the plan of apportioning our contributions to local efforts would have a direct tendency to effect our main and primary object, the encouragement of the latter.

It is almost needless to say, that while persuaded of the feasibility as well as of the advantages of the plan which we recommend, we are not insensible of the difficulties which Her Majesty's Government will meet with in applying it. Nor do we for a moment suppose that it can be brought into full operation at once by a circular dispatch followed by the withdrawal of Her Majesty's troops. If it be adopted at all, it should be carried out with undeviating impartiality and firmness, and the Colonies should be made to understand from the first that the decision of the Government on the subject is final and irreversible. But it should also be carried out considerately and with caution; the Colonies will require time to organise systems of local self-defence, and in the meanwhile

they should not be deprived of the protection to which we have accustomed them, if it be clear that they have *bona fide* accepted the arrangement proposed, and are preparing to act upon it. We venture further to suggest that it would be wise and just to show the utmost liberality to them in making the preliminary arrangements. For example, the Imperial Government possesses in every Colony considerable and often very valuable property, which has been acquired and retained for purposes of defence; when the responsibility of that defence is transferred to the Colonies, it is clearly right that the property should be transferred to them also. The same course might be pursued (though on different grounds) with respect to the armament of forts and batteries, and even to the stores which might happen to be on the spot, and appropriated to local purposes. In short, every possible pains should be taken to let the Colonies see that the course decided upon is adopted with a view to the permanent advantage of themselves as well as of the mother country, and that there is no wish on the part of the latter to drive what is called a hard bargain with them.

In conclusion, the principal advantages of the plan which we recommend are as follows:—It would involve a great saving to the Imperial Exchequer, not only through the direct contribution of the Colonies, but also, as above intimated, by the general reduction of Colonial garrisons which would inevitably follow. At the same time on inordinate burden would be imposed upon the Colonies, seeing that it would rest with themselves to determine the amount of their respective armaments.

It would be equally applicable to peace and war; a Colony finding itself exposed to danger, would increase its military force, either by asking us for more troops, or by local measures of defence, of which the mother country would bear its fixed share of the expense.

It would stimulate the patriotism, self-reliance, and military spirit of the Colonists, by throwing on them the responsibility of directing their own military affairs.

Above all, it would convey, in the most marked and emphatic way, the determination of the mother country, that the Colonies should be governed through and for their own people. It would show that we rely on their loyalty and attachment, and on nothing else; that we have no wish to preserve our connection with them by force; and that, therefore, we regard not only without jealousy, but with sympathy and pride, the growth of their military strength, and the cultivation of that martial spirit which is their best defence. It is in this point of view particularly that we consider the question, whether, in the organisation of Colonial defences, the mother country or the Colonies should take the initiative (that is, whether we should defend them with their assistance, or they defend themselves with ours), to be of the utmost importance; to depend, in fact, upon whether one or other of two opposite views of colonial policy be deliberately adopted; and we emphatically repeat, that it is mainly with reference to these fundamental principles, and not to a calculation of how much money we can obtain from the Colonies, or save to Great Britain, that we recommend the plan proposed and explained in this report.

One member of the Committee, Mr. Elliot, finding himself unable to agree in the whole of our Report, and consequently to sign it, has appended a Memorandum, explaining to what extent he differs from us, and his reasons for doing so.

(Signed) GEO. A. HAMILTON.
JOHN ROBERT GODLEY.

January 24, 1860.

[THE following is the Return referred to in page 260, showing the Force stationed in the Colonies, and the Expenditure incurred for their defence, by the Imperial and Colonial Governments respectively, during the year ended 31st March 1858.

Names of Places.	Average numbers of all arms and ranks, including Civil Departments attached to the army.	Imperial Expenditure.								Total of Imperial Expenditure for Military Purposes.	Colonial Expenditure for Military Purposes.	Gross Total
		Pay and Allowances, Provisions, Clothing, Arms, &c.	Stores.	Proportion of Recruiting Expenses.	Barracks and Fortifications.	Proportion of Non-effective Services.	Proportion of Departmental Expenses at Home.	Transport and Freight.				
North America:	£	£	£	£	£	£	£	£		£	£	£
Canada	3,137	180,799	3,150	2,848	7,355	41,482	3,556	22,743		261,933	40,610	302,543
Nova Scotia, New Brunswick	2,291	110,907	6,624	2,088	21,761	30,464	2,611	16,610		191,065	432	191,497
Newfoundland	231	13,673	598	208	955	3,066	263	1,675		20,438	- -	20,438
Australia:												
Tasmania	488	49,034	192	432	1,346	6,356	545	3,806		61,711	- -	61,711
New Zealand	1,690	100,702	1,152	1,544	1,303	22,554	1,933	13,182		142,370	- -	142,370
New South Wales	906	33,472	289	822	222	12,180	872	7,067		54,924	72,440	127,364
Victoria	888	23,701	336	816	- -	11,872	1,012	6,926		44,663	94,029	138,692
South Australia	91	5,178	392	80	- -	1,190	102	710		7,652	3,226	10,878
Western Australia	365	20,051	1,332	168	155	5,327	416	2,847		30,296	- -	30,296
Mediterranean:												
Gibraltar	5,053	237,013	27,867	4,648	11,539	67,802	5,812	28,423		383,104	- -	383,104
Malta	6,290	287,428	13,677	5,792	15,636	84,490	7,242	35,381		449,646	6,237	455,883
Ionian Islands	3,513	123,418	4,132	3,224	6,879	47,124	4,039	19,761		208,577	19,000	227,577
Cape of Good Hope	10,759	600,107	8,042	7,712	7,326	112,462	9,640	50,995		796,284	34,403	830,687
Bermuda	1,188	68,041	3,144	1,080	1,437	15,778	1,352	9,504		100,336	- -	100,336
Bahamas	397	24,440	4,667	320	994	5,124	439	3,176		39,160	- -	39,160
St. Helena	478	25,550	2,330	432	1,494	6,356	545	4,777		41,484	625	42,109
Falklands	37	2,069	- -	32	- -	504	43	696		3,344	- -	3,344
West Indies:												
Jamaica	1,784	94,603	2,514	1,608	1,348	23,492	2,014	14,272		139,851	2,231	142,082
Honduras	227	12,964	221	200	243	2,954	253	1,816		18,651	- -	18,651
Windward and Leeward Islands	2,364	149,094	18,115	2,136	3,309	31,122	2,668	18,912		225,356	12,167	237,523
Eastern:												
Ceylon	2,386	62,268	998	2,192	151	31,920	2,736	15,420		115,685	74,359	190,044
Mauritius	850	44,780	712	768	10,928	11,186	959	7,001		76,334	17,795	94,129
Hong Kong	826	63,151	1,690	752	2,339	10,976	941	7,789		87,638	- -	87,638
Labuan (no Queen's troops)	-	-	Amount paid to the East India Company			-	-	-		8,035	- -	8,035
West Coast of Africa:												
Sierra Leone	356	19,664	3,219	320	734	4,662	400	2,848		31,847	208	32,055
Gambia	365	20,881	641	328	902	4,788	410	2,920		30,870	161	31,031
Gold Coast	291	10,582	1,624	272	- -	3,948	338	2,328		19,992	330	19,422
Total	47,251	2,383,570	107,658	40,822	98,356	599,179	51,141	301,585		3,590,346	378,253	3,968,599

MEMORANDUM.

Colonial Office, *January* 28, 1860.

I GREATLY lament that I cannot join with my colleagues in their Report on the military expenditure in the Colonies. If we have not been able to agree upon every portion of our inquiries, it has not been for want of an unfailing cordiality in their pursuit, nor of a perfectly frank interchange of all our opinions and information. But the truth perhaps is, that the topics of the Report, involving as they do some of the deepest and most debateable points in the relations of Colonies to a mother country, could hardly be expected to command an undivided judgment. These are questions on which no doctrines have yet attained the rank of established principles, and on which different opinions will probably long prevail. I hope that this may somewhat alleviate my responsibility as an unwilling dissentient from part of the Report; for even had it been unanimous, these large and delicate questions could still never have been settled otherwise than by the direct examination and authority of the Queen's Government.

Considering the importance of the subject, and the number of years during which it has been my duty to watch Colonial affairs, I hope I may not err in believing it right to lay before Her Majesty's Government, for what they may be worth, the grounds of my dissent, and the nature of the opinions which I should have been prepared to submit.

Three main principles appear to me to be laid down in the Report; first, that we cannot expect our Colonial possessions to be made defensible at all points, and at all times; secondly, that some few posts, especially valuable for Imperial purposes, should be dealt with exceptionally, and not included in any general scheme of colonial contribution; but, thirdly, that the

whole remainder of our Colonies, without distinction or exception, ought to pay one uniform proportion of their military expenditure.

In the first of these propositions I cordially concur. No success in war, but rather disaster, would be likely to ensue from scattering the land forces of the Empire over the numerous outlying possessions of a great maritime and colonising State, such as Great Britain. Her Colonial dominion rests on her naval supremacy. The mistress of the seas is mistress of whatever Colonies she pleases to hold or to take; and if ever she ceases to be mistress of the seas it is not forts or garrisons which will save her Colonies.

To that important section of the Report, in which these views are illustrated and enforced, I fully subscribe. It appears to me the more material, inasmuch as, should it meet with approval, it must discourage schemes of Colonial fortification, which I cannot help believing to be often extravagant. The Government offices are, at the present moment, full of such projects. I will take the liberty to quote two which have recently fallen within my own observation.

When the Emperor of the French and the Emperor of Austria went to war in Italy, it was immediately proposed that we should construct new batteries at the Cape of Good Hope, demanding a large additional garrison. The particulars appear in the Report. This was a proposal to strengthen England in the event of her being involved in a European war, by locking up, in addition to the present force, 800 artillerymen, and four regiments of the line, at the furthest extremity of South Africa.

The different channels through the Bahamas form considerable outlets from the Gulf of Mexico, and in time of war commerce will be liable to suffer in them from the cruisers of any hostile naval power. This is a motive for endeavouring to keep, as far as other claims will admit, a naval superiority in that region; but the islands themselves are of no value. We must not for a moment be misled by the importance of the

situation: for, though important on the water, it is not important on land. And, if a new plan of fortification be proposed, the single test of its merit must be whether it will protect a rendezvous useful to the Queen's vessels in time of war. Now we are told, for reasons which I do not question, that New Providence is the only one of these islands at which the idea of building fresh works could be entertained, and a plan of such works has been submitted accordingly. But I find that the harbour of New Providence is contracted in extent, wanting in depth of water, and difficult of access. I cannot suppose, then, that for the high-sounding, but inapplicable reason, of its being a commanding site on the globe, we ought to be led into adopting a plan to expend £85,000, to plant 120 guns, and to detain at a remote place a company of artillery and a whole regiment of infantry, in order to watch over a narrow basin obstructed by a bar.

In these remarks, I am not so presuming or unjust as to impugn the merits of the officers by whom the projects have been prepared. If called upon for plans of land defences, they must furnish such plans; and I doubt not that they have drawn them with the best professional skill. What I am desirous to submit is, that such extensive land defences are in themselves inappropriate and unadvisable.

The second proposition states that the military posts are exceptional, but does not state whether it is meant that they ought to be exempt from contribution. On this point, however, an expression of opinion seems to me desirable, and I will venture to offer one. All of the following appear to me places, which, irrespectively of any intrinsic value as Colonies, may be deemed stations important to the general strength of the Empire:—

The Mediterranean Possessions.	Cape of Good Hope.
Mauritius.	Bermuda.
Ceylon.	St. Helena.
Hong Kong.	

In the year 1857, these places contributed the following sums towards their military expenses :—

MALTA - - - - - - - -	£ 6,237
IONIAN ISLANDS - - - - - -	19,000
MAURITIUS - - - - - - -	17,795
CEYLON - - - - - - -	74,359
HONG KONG - - - - - -	—
CAPE - - - - - - - -	34,403
BERMUDA - - - - - - -	—
ST. HELENA - - - - - - -	625
	£152,419

My opinion is, that we are not called upon to strike off this class of receipts from the British Exchequer. There appears to me no injustice in accepting a contribution from such of these places as contain prosperous communities, so long as the amount falls short of the cost of the number of troops which they would require for their own purposes. Mauritius, for instance, is one of the most flourishing Colonies which we possess, tenanted by an immense fluctuating population of coloured labourers of various races. There seems to be no good reason why this wealthy island should not contribute, as it does, a moderate quota towards the expense of troops which are indispensable to its internal security.

From the third proposition I am compelled to differ. I cannot think that the same fixed proportion ought to be contributed by all Colonies whatsoever, regardless of their inherent differences.

Suppose that some of the richer Colonies, such as those in Australia, particularly require troops, and are willing to contribute two-thirds of the expense, must we reject the offer if others contribute only one half? Or, again, suppose that some of the minor Colonies urgently need troops, but are unable to contribute more than a quarter of their expense, must we either refuse the troops, or reject the contribution, merely because other Colonies pay more?

Uniformity is good, where circumstances are uniform; but where they differ it seems to me reasonable that practice

should differ also ; and, as to the equity of the matter, surely it is quite as unjust to apply a uniform rule to different cases, as to apply a varying rule to cases which are alike.

Now, nothing can be more diversified, and, especially more unequal, than the condition of the British Colonies; they are exposed, some more, some less, to foreign invasion ; some more and others less to perils from natives ; the population in one kind of Colonies is dense, in another scattered, in some it is peaceful, in others troublesome, and in a few it sprang from convicts sent out for the convenience of this country ; again, in certain Colonies this population is British, in others foreign; in part of them it is wholly white, in part almost wholly coloured, and in many it consists of a large proportion of both ; above all, some are rich, and some are poor ; is it surprising with Colonies of such an infinite variety of condition, that both their demands for military assistance should be different, and their power of contribution unequal ?

We are not bound, it is said, to equalise their advantages and disadvantages ; poor nations, like poor individuals, must be content to be less well off than rich ones. This is perfectly true ; but then the Colonies, especially the lesser Colonies, which must call for assistance, are not separate nations ; they are members of one immensely powerful and wealthy nation, from which they believe that they are entitled to some share of general protection. The question is what that share should be.

The Report admits, in handsome terms, the claims of the Colonies to receive aid in their defence, but rests it solely on the ground that the Imperial Government has the control of peace and war, and is, therefore, bound in honour to assist in guarding others from suffering by its policy. I cannot think that this is the only ground, and that we must discard that of interest. Suppose that one of our Colonies should yield the long-desired advantage of a field for the supply of cotton, would not England have a direct interest in its defence, even though it did not contribute a shilling or a man towards the struggle of a European war ? Nor is it necessary to take only

an immaginary illustration. Australia, in the latest year reported, sent into this country imports to the value of nearly fifteen millions, and received from it exports of thirteen millions, of which more than eleven were of home produce. Would there not be an interest in defending the countries which afford such a trade as this, even though the assistance is not reciprocal, and though they lend no direct aid to the defence of Portsmouth or of London? If it is said that the trade would exist at all events, I reply that the exports received from us by Australia, compared with its population, are at the rate of nearly twelve pounds a-head, whilst the exports received from us by the United States are at the rate of less than one. The figures are appended in a Table. They show how much larger, in proportion, is the commerce with countries which remain part of the Empire. Nor can it be maintained that this striking difference is accidental; it is the natural result, which would occur in any similar case, of unfavourable tariffs on the one hand, and of the habit, on the other hand, of resorting to a particular market. This last influence is by no means to be undervalued. It will be found as a matter of fact, that an English Colony, having all its correspondence with England, leans to the use of English supplies.

Without dwelling further, however, on abstract discussions, it may be more fruitful of practical consequences to examine a little more closely some of the facts in the Colonies which bear on their military requirements. For this purpose, the Colonies may, perhaps, be roughly divided into the following classes:—

1st. Great and unmixed European communities, such as those in British North America and in Australia.

2nd. European communities which are large and thriving, but in contact with powerful and warlike natives, such as the Colonies of New Zealand and the Cape of Good Hope.

3rd. Limited numbers of European planters and settlers situated in the midst of large coloured populations, such as the West Indies and the Eastern Colonies.

4th. Mere handfuls of white functionaries and merchants dwelling in the midst of overwhelming numbers of black races, both subject and independent, such as the Colonies on the Western Coast of Africa.

I think it will be seen at a glance, that it would be difficult to frame any general rule which should be equally applicable to all of such dissimilar societies. It seems to me very doubtful whether they ought, on account of any abstract principle, or for mere convenience, to contribute equally to their military expenditure; it is certain that they could not do so in point of fact. If we lay down any rate of contribution which may be equitable for the first or the second of the above classes, and say that the West Indies must either pay the same or else part with the troops, we may as well send the order for their return to-morrow. We know perfectly well that most of those impoverished Colonies cannot find the money. The question then is, whether there is anything in the presence of troops there so essential to the fundamental wants of society that, in default of local resources, the ruling authority is bound to supply the demand. I freely admit that poorer communities will have inferior roads and landing places, schools, gaols, and hospitals, and that the deficiency is not to be supplied from the Imperial purse. But if, in these islands, the very existence of society depends on having a small military force, may not the provision of it be fairly deemed a duty of the sovereign power? I do not believe that the Government or the people of this country would endure that any places should be called British, and yet fall into a state of helpless, and perhaps sanguinary anarchy.

And this compels me to a short digression on the ends and objects of a military force. I think that we must not assume that their use is to repel a foreign enemy alone; although this, undoubtedly, is their main use. But whilst I entirely agree that troops ought not to be employed in the ordinary duties of police, I cannot help thinking that in almost every country, respect for the civil force is secured by a knowledge, that

behind everything else there is a military array to be appealed to in the last resort. The functions of a police are to keep down crime, but it requires soldiers to suppress sedition. Another use, it appears to be, of a regular military force is to assert, by their very presence, the national rights of sovereignty. It is not the handful of soldiers on some particular spot that is material, but the fact that, just as much as the flag that flutters over their heads, they are the emblems of the national force, and that it is well known that any aggression on them will be resented with the whole resources of the Empire. A serjeant's guard is in this light a representative of the entire English army. In exposed parts of our dominions this may be an important consideration.

The views above submitted upon the West Indies apply, with slight modifications, to the settlements on the Western Coast of Africa. Those settlements are maintained for the sake of one of the most cherished objects of English policy. They are too puny to be able to defray even their civil expenditure without assistance from British funds. It appears certain, then, that they could not afford to pay for troops for themselves, whilst without troops it can hardly be supposed that they could subsist in the midst of lawless Europeans pursuing an almost piratical trade, and numerous warlike African tribes. Be this as it may, however, the real question for the Government must be, I apprehend, whether the troops can be reduced, or altogether discarded, but not whether these small settlements can pay any material proportion of their cost.

The foregoing are reasons for which, I think, that an equal rate of contribution from all Colonies is not just, expedient, or practicable, and that any efficient attempt to enforce it would be attended with the risk of serious misfortunes. I prefer the other plan by which Her Majesty's Government determines the amount of force which it deems reasonable to allot to the different Colonies, at British charge, as being required by the duties of the Sovereign State, whilst the Colonies themselves must pay for an additional number of troops which they may

ask for and obtain. One advantage of this plan is, that instead of requiring us to enter into a long and probably irritating negotiation with all the Colonies, it executes itself, and is settled from time to time by the direct authority of the Queen's Government. It adapts itself to the varying circumstances of the several Colonies. And as regards the two most important collections of them, it is already in operation with the concurrence of their inhabitants. With these remarks, I propose, in the remainder of this paper, to review briefly the principal groups of Colonies, and to show how far this rule already applies.

North American Provinces.

These great countries contain three millions of people, and are for thousands of miles conterminous with the United States. It is evident that no forces sent from home can be supposed to undertake the defence of this vast line of territory. The security of the inhabitants rests chiefly on their own patriotism and valour, of which they have already, whenever required, afforded brilliant and successful examples. The principle was propounded by Earl Grey in 1854, and was repeated by the Duke of Newcastle, as Secretary for War, and Sir George Grey, as Colonial Secretary in 1854, that in Canada the fortified city of Quebec, and the fort of Kingston, with perhaps one or two outlying posts between Montreal and the frontier, should be garrisoned by the general troops of the Empire, but that no more ought to devolve on the General Government. This proposition was acquiesced in by the authorities of Canada without a murmur, and they have set about active measures, at a considerable charge to themselves, for rendering their militia efficient. The harbour of Halifax is as much a station important to the general power of the nation as any of the places which have been enumerated in the list of military posts. It is only just that its garrison should be provided for out of Imperial funds; nor could the province of Nova Scotia, which is far from wealthy, be expected to tax

itself for such a purpose, merely because this valuable Imperial post happens to be situated within its limits. Small parties of troops are at present stationed at the seats of government in Canada, New Brunswick, and Newfoundland. How far there may be sufficient motives to maintain these in connection with Her Majesty's representatives, and as marks of the common tie which unites the Empire, as well as what amount of inconvenience such detachments may occasion in the detail of military duty, are questions for the judgment of Her Majesty's Government. But, with this exception, it seems to be understood that this country is only to garrison the forts, and that for any additional force the provinces are to rely on themselves. If this view has not yet been carried into full effect, the time and mode of doing it must depend on the discretion of Her Majesty's Government.

Australian Colonies.

In this group, and although dwelling in different Colonies, yet the majority of them in close neighbourhood, there are now no less than one million of settlers. It is needless to say that they can be in no danger of subjugation. That European power would be very strong which undertook to conquer a million of Englishmen living at the antipodes. But they very properly desire to protect themselves against partial descents, and injury to their homes and property, and since the rumours of European war they have shown great ardour and resolution on the subject. It would be the greatest mistake, in my opinion, to doubt the spirit and the self-reliance of any of our large European settlements.

In the Australian Colonies the principle has been laid down, that after fixing a number of troops to be assumed as the quota required for Imperial purposes, all additional force sought for by the local governments should be paid for (provided that this country can spare them) by the Colonies themselves. Accordingly, four companies have been assigned to New South Wales and four to Victoria, and those Colonies

are to pay for the whole of the expense beyond that strength. South Australia has just asked for troops, and has been apprised that it must submit to the same rule, which there seems no reason to expect that it will dispute. Tasmania does not pay, because it still comprises a large population of convict origin, and it has been thought fair that its security should be provided for at the Imperial charge. For how long a time and to what extent this ground should continue to be admitted will be practical questions, on the recurrence of each successive year, for the discretion of Her Majesty advisers. In Western Australia there are only a company of the line, part of a company of sappers, and a few enrolled pensioners, employed to guard English convicts.

New Zealand.

Setting aside convict settlements, this is the only Colony connected with the Australian group to which the principle has not been applied, that an English quota being fixed, all additional troops are to be defrayed from local sources. New Zealand has hitherto been less wealthy than the others, and is in peculiar circumstances on account of its aboriginal inhabitants. The proportion of Europeans to Maories is, however, continually increasing, and the longer that our rule is maintained in tranquillity, the more must the natives be supposed to become confirmed in habits of peace and order. This would be a reason for reducing the Imperial garrison, and for entrusting the security of the European inhabitants chiefly to their own prudence and justice in dealing with the natives in time of quiet, and to their spirit in case of disturbance. On the other hand, if a premature or excessive diminution of troops should be followed by disaster to our countrymen in New Zealand, public opinion would probably condemn the measure. Between these conflicting considerations, it appears to me to be the task of statesmen to divine the course which may be best suited to the circumstances of the time at which they have to form their decision.

The Mediterranean Dependencies.

These speak for themselves; they are garrisoned for Imperial purposes. The Ionian Islands are bound by convention, executed under the Treaty of Paris, to contribute a yearly sum of 25,000*l.* towards their military expenses, and Malta contributes a sum of 6,200*l.*

The West Indies.

On this group I have stated by anticipation some of the general views which seem to me to deserve consideration. The West Indian Colonies are divided into two military commands: first, Jamaica, and secondly, the Windward and Leeward Islands. Jamaica must, I apprehend, be admitted as falling more or less within the category of places of which the occupation conduces to the general strength of the Empire abroad. The regular troops in it ought, doubtless, to be reduced within the smallest compass which Her Majesty's Government, assisted by professional advisers, may consider compatible with safety; but so long as a Colonial system is upheld at all, I should think it could not be denied that this great island ought to be the seat of some Imperial forces, maintained at the national charge. In the Windward and Leeward Islands, I quite admit that the troops ought not to be scattered about for purposes of police; but I think that there ought to be some small central force sufficient to protect any arsenals that we possess in this region, and also to be moved in case of need to any scene of insurrection or civil disturbance.

Eastern Colonies.

Ceylon appears to have contained, in 1857, about 2,386 troops. The War Office Return appended to the Report exhibits the charges at home for the troops serving in the Colonies, including a proportion of the whole dead weight of the British army, the cost of transport, and the military expenditure on the spot. This last amounted, for Ceylon, in

1857, to 137,776*l.*, or an ample half. Whether it should be required to increase this contribution must be a question for Her Majesty's Government. This Colony at present is spending large sums on railways and other reproductive works. The more, of course, that it may be judged proper to take for military purposes, the less will remain for those other objects which promote the development of wealth.

MAURITIUS.—The force in 1857 was 850; the military expenditure on the spot, 74,215*l.*; the contribution of the Colony, 17,705*l.*, which has since been increased. The island could probably afford more, and if symmetry be thought a desirable object, when practicable, this Colony might be able to contribute, as Ceylon has done, a sum equal to about half the cost on the spot of providing for its defence and internal security.

HONG KONG.—The force in 1857 was 826; the expenditure on the spot, 67,180*l.* This Colony has only recently been able to defray its civil expenditure, it has contributed nothing towards its military expenditure; and I suppose that the garrison will always be within the limit of the amount deemed indispensable for general national objects.

WESTERN COAST OF APRICA.

On the settlements in this part of the world I have submitted, at an earlier stage, some general observations. The force in 1857 was 1,012; the expenditure on the spot was 58,946*l.*, of which 699*l.* was locally contributed. It would certainly appear desirable that the forces on this coast should be kept within the smallest amount, consistent with the objects for which they are employed. Whether they can be reduced, and to what extent, is a military question, that can only be dealt with by the Government, with the aid of such military advice as it may deem it necessary to take.

CAPE OF GOOD HOPE.

One considerable Colony alone has not been noticed in the

preceding review, and that is the Cape of Good Hope. At this place we maintain, not a garrison, but rather an army. The average force for five years would seem by Parliamentary Returns to have been 7,000, and in 1857 is reported by the War Office at upwards of 10,000. Exclusive of all home charges, and of the cost of transport, the military expenditure of 1857 is returned at 649,878*l.*, being nearly two-thirds of a million. In the same year was voted one of a series of annual grants of 40,000*l.*, for civilizing the Kaffirs, and averting disputes with the natives. It is true that these efforts have given us the satisfaction of being able to say that we have not had a Kaffir war, but nine or ten thousand troops constitute such an army as England seldom has to spare for less favoured spots. The direct objects of Imperial concern at the Cape, in a military point of view, are the harbours of Table Bay and Simon's Bay. The subjoined Table will exhibit some of its leading statistics:—

—	Population.	Imports into the Colony.	Exports from the Colony.	Amount of Military Force.	Direct Military Expenditure in the Colonies themselves*
	£	£	£		£
Cape - - - -	267,096	2,637,192	1,988,406	10,759	649,878
All other Colonies	7,615,575	56,452,628	48,052,055	36,492	2,325,994
Total - - -	7.882,671	59,089,820	50,040,461	47,251	2,975,872

It is for Her Majesty's Government to determine the relative claims of different parts of the empire to the assistance of the mother country; but supposing that some reduction of the military expenditure abroad is judged indispensable, it seems a grave fact that a Colony of which the population is

* This is exclusive of recruiting and all other charges at home; of any assumed charge for a proportion of the general dead weight of the army, and is also exclusive of the cost of transport. The returns of population, imports, and exports are taken from the latest Blue Books.

one twenty-ninth of the whole population of the British Colonies, and of which the imports and exports are respectively one twenty-second and one twenty-fifth, absorbs more than one-fifth of the whole force allotted to the Colonies, and occasions more than a fourth of the whole direct military expenditure.

One remark is essential on this Colony. It is commonly said that the Colonists would be willing enough to undertake their own protection, provided that they might deal with the Kaffirs as they themselves consider best, but that this would entail a mode of warfare which would not be tolerated by public opinion in England. On the other hand, so long as British authority restrains the settlers from defending themselves in their own way, it is bound to find some efficient substitute. The result has been to produce an excessive drain of British resources for a single Colony; the expenditure, as above shown, is enormous, and it is not likely ever to be materially reduced except by a radical change of policy. Such a change would relieve this country from a heavy burthen, and, so far as concerns the demands both for men and money, would be a palpable gain. Whether it would be opposed to any just claims of philanthropy, or to the general duties of sovereign States towards their subjects, and whether also it would be irreconcilable with public opinion, are questions of a different kind, lying beyond our province. They can only be determined by statesmen engaged in the actual conduct of affairs.

This completes a review of the principal groups of Colonies. The following results may, I think, be drawn from it:—

First, That in British North America and Australia, being the chief assemblages of European communities, a general and intelligible principle about military expenditure is already established.

Secondly, That in the West Indies and on the Coast of Africa the Colonies can neither pay towards the cost of troops, nor yet exist without them, and hence that if such possessions

are to be maintained at all, the only question for Government must be what is the smallest force which will answer its purpose.

Thirdly, That it is quite fair that the richer tropical settlements should contribute towards the expense of their garrisons, but that Ceylon and Mauritius are for the present the only Colonies which come within this category, and that both of these may perhaps, if it is thought of importance, be treated alike.

Fourthly, That the most difficult questions must arise with regard to large European settlements in contact with warlike neighbours, such as New Zealand and the Cape, but that each of these again must be dealt with according to its own condition; the chief of which have been above stated.

I think that the contribution should always be in money and not in kind, such as rations, stores, or barrack accommodation. This plan is shown by former examples to be unsatisfactory, and a fertile source of dispute.

Even if the contribution be calculated as a proportion of the whole military expenditure, I think that the amount should be fixed for periods of some continuance, since practical inconvenience and occasions of difference would arise from its constant fluctuation.

I cannot agree that the defences ought to be placed generally, and as a system, under local management. In the first place, the subject does not admit of being conveniently treated in detached portions; military and naval operations, and the preparations to be made for them, require an extended survey. In the next place, the welfare of the Queen's troops in time of peace, and the provision to be made for the success of the national arms in time of war, appear to me precisely examples of the subjects for which the Imperial Government must remain responsible, and which ought to be dealt with by the authority of the Governor, as Her Majesty's representative, and of the officer commanding the forces.

In conclusion, I must express my regret for the length of

this examination of the different Colonies, but it seemed to me that the true nature of the difficulties to be met could not be shown by any shorter process. What has to be solved is not one problem, but many. I despair of discovering upon them any self-acting rule which shall be a substitute for the judgment and firmness of the Ministers of the Crown for the time being. They will doubtless always be guided by a policy, but they can hardly expect to despatch such complicated and arduous questions by a single maxim. To deal with cases on their merits, to labour patiently against opposition in some quarters, and to welcome and reciprocate co-operation from others: these, in so wide and diversified a sphere as the British Colonies, appear to me tasks and duties inseparable from the function of governing, which can never be superseded by the machinery of a system however ably conceived or logically constructed.

(Signed) T. Frederick Elliot.

APPENDIX.

Population, Imports and Exports of the under-mentioned Countries, for the Year 1857.

——	Population.	Imports into the United Kingdom.	Exports from the United Kingdom.		
			Home Produce.	Colonial and Foreign Produce.	Total.
		£	£	£	£
British America	3,014,051	6,339,110	4,329,035	339,325	4,668,360
Australia - -	1,107,537	14,991,594	11,632,524	1,542,601	13,175,125
United States -	27,797,403	33,647,227	18,985,939	1,090,956	20,076,895
Total - -	31,918,991	55,037,931	34,947,498	2,972,882	37,920,380

The Imports and Exports are compiled from the Returns of the Board of Trade; the Population of the Colonies from the Blue Books; and of the United States from the Almanac published in 1858.

REMARKS ON MR. ELLIOT'S MEMORANDUM.

THE leading feature of Mr. Elliot's memorandum is, that while it exposes and condemns the results of the present system, it proposes no practical alteration in that system; consequently, the anomalies and abuses which General Peel points out, and for which he wishes that a remedy be provided, will continue in full force if Mr. Elliot's views be adopted. The Committee was appointed to "prepare a "scheme" for the application of certain principles to each Colony; but this task Mr. Elliot, as I contend, does not perform. It is true that he expresses an abstract opinion against scattering our troops in small garrisons, and it is true also that "he prefers the plan by which Her Majesty's "Government determines the amount of force which it deems "reasonable to allot to different Colonies, as being required by "the duties of the Sovereign State, whilst the Colonies themselves must pay for any additional number of troops which "they may ask for and obtain." But practically this is nothing else than the present system put into words, inasmuch as Her Majesty's Government now "allots the amount of "force which it thinks reasonable," &c.; and if it does not, it can, whenever it pleases, increase or diminish that force.

I do not deny that it would be consistent with the literal terms of Mr. Elliot's definition to throw as much of the responsibility and burden of self-defence on the Colonies as the Report recommends, or even more, for the Imperial Government might say that "the duties of the Sovereign "State" do not "require any force to be allotted" to any Colony, with or without the exception of the half-dozen military posts enumerated in the Report; but that is not the way in which the plan ever has been worked or will be worked; nor is it the way in which Mr. Elliot conceives its working. That I am right in supposing him not to advocate a change of system is shown by his selection of the North American

Colonies as an example of the plan which he prefers. "*There*," he says, "it is already in operation," and consequently, "a "general and intelligible principle is established." Now, it so happens that there is no group of Colonies with which the War-office has been engaged in more constant and irritating correspondence, or about which we have more inconsistent decisions, or which exhibits more marked inequality as regards the plans of defence adopted, the contributions of the various Colonies, and the assistance we have given them, than those of North America. Indeed, it is to this group that I should most naturally recur for illustrations of the present system, involving, as it does, what General Peel calls "*the absence* of any fixed and recognised principle in determining questions of "military expenditure." Moreover, the practical result, as exemplified in British America, of the system which Mr. Elliot desires to see in general operation is, that in Canada alone has any attempt been made at self-defence; and there it is a feeble and inadequate one; in the other Colonies, comprising, as they do, some of the oldest, most numerous, most prosperous, and most energetic of our colonial communities, not one farthing is expended or one man raised and trained for the defence of their own lives and properties against foreign enemies. I can hardly conceive that he considers this to be a desirable state of things, or one which ought not only to continue indefinitely in British America, but to be extended over the whole Empire.

Nor can I agree with Mr. Elliot that any distinction can be drawn between the system pursued in British America and that pursued at the Cape. In both his principle prevails, for (to use his own words) "the Government determines the amount of force which it deems reasonable to allot to the "Colonies respectively, as being required by the duties of the "Sovereign State." At the Cape, as we all know, the practical result of this has been what Mr. Elliot calls the "grave fact," and what the Report calls the "gigantic anomaly," of an expenditure in one year of £830,000.

These and similar facts lead to the conclusion that no permanent reduction of expense to this country, and no effective stimulus to colonial exertions, will be the result of merely recommending, as Mr. Elliot has done, to Government, the desirableness of reconsidering the distribution of the army in the Colonies. This has been done over and over again, and nothing has come of it. We have, with trifling exceptions, the same extravagance on our side, the same helplessness on theirs; the same confusion, inconsistency, and disputation which has prevailed more or less for the last century in our military policy towards our Colonies.

I will now proceed to consider Mr. Elliot's principal objections to the Report.

His first objection is to a uniform rate of joint contribution. It will be remembered that the two main principles of the plan proposed in the Report are—(1) colonial responsibility and management; (2) joint contribution, at a uniform rate. Of these, the former is infinitely the more important; and, if it be admitted, the precise mode in which the mother country should assist the colony is comparatively immaterial. It must necessarily be by a contribution of some kind, either in men or money, and I feel assured that a uniform rate for such contribution will be found both more fair and more likely to answer practically than any other arrangement. If it be objected to, we must adopt a rate varying according to some other intelligible and definite principle; and I can conceive no other than one varying according either to the capacity of the different Colonies, or according to their exposure to danger. Now, the application of either of these tests would lead to a result far more anomalous and unsatisfactory than the adoption of a uniform rate. It is absolutely impossible to gauge, even approximately, the comparative capacities of resources of different countries; you cannot do it according to revenue, because that depends on willingness quite as much as on ability to support taxation; (for example, Austria has a larger revenue than the United States, but no one supposes she has

greater means of raising one:) nor can you do it according to population, because the producing power of different races, or of the same races in different circumstances, varies indefinitely; but even if you could, I see no justice in dealing with your Colonies as if they were paupers, and giving them money, or money's worth, on account of or in proportion to their poverty; nor do I think that small Colonies have any claim to get their public services performed more cheaply than large ones at other people's expense. The ground of their claim upon us is the fact of their dependence, and that applies equally to the large and the small. It is a matter of justice, not of charity; and Mr. Elliot, in favouring the eleemosynary principle, puts the matter, as I conceive, on a wrong basis altogether. The apportionment of contribution according to exposure to attack would be, if possible, even more impracticable, for the danger of attack which a country lies under depends on such numerous and perpetually varying circumstances, geographical, political, and military, that it may at once be discarded as a basis for any permanent arrangement. If, however, a better way of working out a scheme of joint contribution than that of a uniform rate can be devised, I, for one, should be perfectly ready to consider it; the only principle on which I desire to insist as essential, being that of a common defence under colonial management, as distinguished from that of separation and independence, both of action and contribution, the mother country having the responsibility.

According to the former, which is the course recommended in the Report, the whole system of defence, including the amount of force, would be decided on by the Colony, as the most competent and most interested party, and to the expense of that system the mother country would contribute. According to the latter, which is the course recommended by Mr. Elliot, neither party would have the power or the obligation to provide for the whole defence of a Colony; but the mother country would provide for Imperial interests, or leave them unprovided for.

Of the latter system the fruits are before us in the fact that we incur an enormous outlay for what Mr. Elliot admits to be, in a military point of view, a most imperfect and inadequate result; while the Colonies do virtually nothing. Of the former system we have also had experience, and I will now endeavour to show how it worked as regards military efficiency, not insisting for the present on its more obvious recommendations of justice and economy.

For 150 years after we had colonised North America, the principle of Colonial self-defence prevailed there almost exclusively. The British Colonists found themselves in contact with native nations, more numerous, more warlike, and better organised than any which modern Colonists have had to deal with. They were also surrounded by, and intermingled with, the Colonies of several European nations, each of which separately was in the habit of meeting England in war on equal terms, both by sea and land, viz., the French, the Spaniards, and the Dutch. In all our Colonies there were "Imperial interests" to be protected, that is, there were points of great strategical and commercial importance, such as Boston, New York, Charlestown, and many others. Yet in those days it was not considered by the mother country that it was her interest to garrison her Colonies, nor did it ever occur to the Colonists that when for their own objects they sought by emigrating an asylum of freedom, or a new field of enterprise and profit, they were entitled thereby to claim immunity from the responsibility of self-defence, which devolves on the members of every other organised community in the world. On the contrary, they were content to know that with the greater advantages of a new country, they must meet greater hardships and dangers. They never thought that they were to take the former, and to be protected at other people's expense from the latter.

Until the year 1754 I can only find two instances when regular soldiers were sent to British America. One was in 1664, in the case of the army which took New York, and the

other in 1695, when a body of troops was sent to reinforce the Colonists who were carrying on war against the French. In 1754 a change of policy occurred in this respect for the first time. Braddock was sent to America with a considerable force, the English Mutiny Act was extended for the first time to the Colonies, and they were never again without British troops till we recognised their independence.

Let us see how this system (the idea of applying which, in a modified form, and under circumstances beyond comparison more favourable, appears now so rash and ruinous) actually worked. In the first place, the British Colonies not only successfully established themselves and resisted all attacks on them, but they attacked and conquered foreign possessions, and handed them over to the British Crown; secondly, they attained great prosperity, their increase as regards commerce and population from the commencement of the 18th century to the declaration of independence, being as great as any recorded in history, except that of Australia and California, since the discovery of gold; thirdly, they produced and trained a race of statesmen and soldiers who proved themselves at least equal to the greatest of their European contemporaries. What I have said is illustrated in almost every page of early Colonial history, and I know of no history more fruitful in the record of heroic deeds. For example, in 1710 the American Colonists conquered Nova Scotia from the French without any help from England. In 1745, three New England States, Massachusetts, New Hampshire, and Connecticut, of which the whole population at that time was only about 300,000, organised and equipped a naval and military expedition against Louisburg, a fortress described by a contemporary historian as "of prodigious strength," garrisoned by 600 regulars and 1300 militia, and took it after a regular siege, with 49 days of open trenches, its fall involving the surrender of the whole of Cape Breton. The expense, amounting to £200,000, was defrayed in the first place by the Colonists, and only repaid to them by England after the peace of Aix-la-Chapelle, by which Louisburg was restored to France.

It would have seemed strange to the men who executed such military operations as these to be told (as Mr. Elliott says of the people of Nova Scotia) that they "could not be expected" to provide for the defence of their own capitals. Yet the population of the three Colonies which conquered Cape Breton was not so large, collectively, as that of Nova Scotia alone, nor was their commerce so great, nor were they, like her, within eight days steaming of the aid of the mother country. If there had been a British garrison in those days at Boston, a place as "important to the general power of the Empire" as Halifax is now, the people of New England would soon have found out that they too "could not be expected" even to contribute towards defending it.

I next come to the consideration of Mr. Elliot's opinion, that the dependence of the Colonies is not the only ground for our undertaking to defend them, and his argument that the *interest* we have in their defence constitutes alone a sufficient ground for such undertaking. This view may be perhaps best tested by considering a case where we have "interest" without "dependence." We have a strong interest in the defence of Belgium, if for no other reason, because we are bound by treaty to protect it; indeed, I think it will hardly be denied that there is no British Colony of which the security against foreign conquest is more important to us, and certainly, there is not one in half as much danger of being conquered. Yet it would seem very strange if Belgium proposed that we should undertake the expense of fortifying Antwerp and the maintenance of its garrison. We should of course reply that though we had an interest in the security of Belgium, that of the Belgians was so much more powerful and direct, that it was for them and not for us to provide for it. We should probably add the expression of our opinion, that the business would be better done if they managed it by themselves, and in their own way than if we interfered; and this is precisely what we ought to say to the Colonies, *except* that, as was said in the Report, their dependence on us imposes on us an obligation to give

them material assistance. I therefore propose to deal with them as we should with Belgium, only so far as is consistent with a reasonable discharge of that obligation.

Although I consider that this is a sufficient answer to the whole argument about "interest," I cannot pass by without remark the illustrations by which Mr. Elliot endeavours to show the importance to England of the political connection with the Colonies. I do so the more willingly because the fallacy (as I conceive it to be) which he employs is one very generally received.

Mr. Elliot argues that the fact of Australia taking our exports to the amount of "nearly £12" a-head of her population, while the United States take them only at the rate of "less than £1," "shows how much larger in proportion is the "commerce with countries which remain part of the Empire." I might with equal justice and greater plausibility (the cases being far more analogous) argue, that because the United States take, in proportion to population, a greater amount of our exports than Canada, that fact "shows how much larger is "the commerce with countries which do *not* remain part of the "Empire."*

The truth is that in neither the one case nor the other have the *political* conditions of the respective countries anything to do with the matter. It is governed to a certain extent perhaps at first by origin, but mainly and permanently by *economical* conditions, *i.e.*, on the one hand by the purchasing power, and, on the other, by the varying productions and wants of their people respectively. In the first place, Australia, having, like all young countries, a very imperfect division of labour, produces very few kinds of articles, and of course imports almost everything that she consumes, while the United States, with a vast population, and a territory embracing every variety of

* The population of the United States may be estimated at 28,000,000 for the year 1869, in which they imported from Great Britain to the value of £22,611,213, or about 16s. per head. The population of Canada was estimated by its Finance Minister at "nearly 3,000,000" in the same year, and its imports from Great Britain were £1,854,821, or something more than 12s. per head.

climate, are, to a certain extent, self-supplying. In the second place, Australia producing nothing analogous to British manufactures, has no temptation to enact a protective tariff, while the converse is the case with the United States, which have a powerful manufacturing interest, and therefore seek to protect it. If the Australians thought a protective tariff conducive to their interests, they would immediately enact one. This is not a mere theory; it is proved by facts, as nearly as possible to demonstration. Instead of comparing two countries so entirely dissimilar as Australia and the United States, I will adopt the more opposite course of comparing:—

1. Two countries, one a colony and the other independent, of which the economical conditions are tolerably similar; and,—
2. Two different periods of the same country's existence, involving different sets of political conditions.

1. The difference between the tariff of the United States and that of Canada (as regards the present question) is just this, that in the former British manufactures are charged with a duty of 24 per cent., and in the latter of 20 per cent., with the exception of leather and clothes, which, on account of some special interest, are charged at 25 per cent. Such is the exact amount of the difference in the obstacles which our trade meets with in our own dependency and the neighbouring foreign state respectively, the result being, as I have shown, that we export more to the foreigner than to the colonist.

And it is further to be observed that the present American tariff is less, the Canadian tariff more, protective than the last, showing that while the Canadians are following the old path, and protecting in proportion as the interests which demand protection grow powerful, the Americans are beginning to see the folly of restrictive tariffs, and show a tendency at least towards greater freedom of trade.

2. I have compared the statistics of our trade with the United States before and after their independence, with the

following results*:—From 1760 to 1770, the last decade of their Colonial dependence, the average annual exports from this country to British North America were £1,763,409, (official value.) From 1783 to 1790, the first seven years after our recognition of their independence, the average annual exports, similarly calculated, were £2,349,040. From 1805 to 1808, the average annual exports were £6,479,277. These figures show that the dissolution of the connection with England caused no appreciable injury to the commercial intercourse of the two countries, although the period to which they relate embraces a transition from a system under which the mother country had a strict monopoly of the trade with her Colonies, to one under which the latter enjoyed, of course, unlimited access to all the markets of the world.

It is true, as Mr. Elliot says, that "the habit of resorting to "a particular market" has a considerable effect upon commerce, but he has not explained what that has to do with the politicial connection, which is the only relevant question; and I have shown, on the contrary, that, in the case of the only available precedent, the habit of resorting to a particular market survived the change from dependence to independence, nor is there any ground whatever for supposing that it could cease to operate on the Australians, merely because their political connection with England was dissolved.

Mr. Elliot concludes his memorandum by making a division of the Colonies into groups; not, however, with the view of proposing specific arrangements with respect to military expenditure to suit the circumstances of each group, but merely, as I understand, in order to show the dissimilarity of the Colonies *inter se*, and the consequent injustice of applying a uniform rule, as regards military expenditure, at all. "Surely," he says, "it is quite as unjust to apply a uniform "rule to different cases as to apply a varying rule to cases "which are alike." He supports this view by describing the

* The statistics in the text are taken from the Tables in Pitkin's "History of the "Commerce of the United States."

local peculiarities of the various Colonies, and follows up his description by saying, "It will be seen at a glance that it "would be difficult to frame a general rule which shall be "equally applicable to all of such dissimilar societies." Now, it is essential to bear in mind that the only point on which "uniformity of rule" is sought to be applied to these dissimilar societies is the support of the charges made necessary for their own defence. Attention to this point will, I think, lead at once to a discovery of the fallacy of Mr. Elliot's argument. It is not only British Colonies that differ from each other in almost every conceivable way. France and Java, India and Denmark, Cuba and Madagascar, differ from each other, as regards their wealth and their poverty, their dependence and their independence, their security and their insecurity, even more widely than any British Colonies; yet to all of them this "uniform rule" properly and justly applies, that they provide the means, either in men or money, of defending themselves against internal anarchy and foreign aggression. What Mr. Elliot had to show for the purpose of his argument was, not that the British Colonies are *unlike* each other materially and socially, but that they are *like* each other, while differing from all the rest of the world, in their exceptional right to make other people pay for protecting them. It is strange how completely in this discussion the fact is ignored that we are not proposing to apply a new and untried principle to British Colonies, but merely suggesting an approach, in a gradual and modified form, to a "uniformity of rule" which has always prevailed, under infinitely varying circumstances, everywhere else, and to which they form the sole and monstrous exception.

The only group on which Mr. Elliot's observations appear to call for special remark from me is that of the West Indies. Here he deserts the ground of defence against foreign aggression, and lays down broadly our obligations to keep troops there for the purpose of preserving "the existence of society," intimating that without such a force they would be in danger

of "falling into helpless and perhaps sanguinary anarchy;" and again, "that without troops these Colonies could not exist." If such were really the case I think it would be difficult to justify our maintaining indefinitely, by the pressure of external force, a society so rotten as to be utterly incapable of holding together alone. But I entirely dissent from this gloomy view. If the negroes were slaves, or if they were, though nominally free, a down-trodden and oppressed race, there might be a danger of Jacobinical insurrection; but the converse of this is the case. The complaint is that the negroes have, under the existing arrangements of society, entirely their own way; and if so, there appears to be no temptation to alter them by violence.

At any rate, the principle laid down by the Secretary of State for War in the letter on which the appointment of the Committee was founded, (and concurred in by the Lords of the Treasury and the Secretary of State for the Colonies), was, that "military expenditure for purposes of internal police "should be defrayed by local funds"—a principle which would go even farther than that suggested in the Report, inasmuch as it would deprive the West Indies of any claim even for Imperial contribution towards a force kept for the purposes of preventing internal disturbance.

I must add that it is difficult to understand why, upon any view of the subject, we keep *black* troops in the West Indies; as, in the case of a negro insurrection (the only alleged danger to "society,") they would not only be untrustworthy, but formidable; and no one, I suppose, believes that they would be capable of meeting French or American troops in the field.

In conclusion, I wish emphatically to repeat, that the real question is not whether the arrangements which we make for the defence of our Colonies are capable or not of being improved, by re-distribution of force here, or reduction of force there, but whether they are not radically wrong, *i.e.*, based on a theory fundamentally erroneous. The view which I believe

to be the right one is that when a part of the people of an old country voluntarily "swarms" to a new one, there is neither justice nor policy in permitting the emigrants to throw on those whom they leave behind the responsibility and charge of keeping the new society together, and defending it against the dangers to which its own act has exposed it. And I must again point out, speaking generally, no colonising country, except England, and England only in comparatively modern days, has ever done so. The Colonies of all other nations, ancient and modern, and English Colonies till we quarrelled with America, have either defended themselves or paid their full share of the expenses of the common defence. Between a Greek metropolis and her Colonies there was a bond of amity, amounting virtually, though not in express terms, to an offensive and defensive alliance; but the obligation was strictly reciprocal: if Athens considered herself bound to assist the Ionian cities against the Persian king, on the other hand the Syracusan triremes fought in a Peloponnesian quarrel, as part of the Corinthian contingent, at Ægos-Potamos. We cannot deal in this way with our Colonies, because they were formed with the understanding that they were to remain "part of the empire," and have a right, so long as they choose to assert it, to the fulfilment of this virtual compact. But it is desirable, both for our sakes and theirs, to reduce to the minimum the incidents of their dependence; for ours, because we have a right to discharge ourselves, so far as justice and honour permit, of the material burdens caused by a relation which does not bring us any corresponding material advantages; for theirs, because in proportion as they learn to provide for their own wants and to assert their own rights, instead of leaning on others, their national character will be elevated and strengthened, and they will be prepared for the day when their independence shall become inevitable. It is on this view that the plan of military defence suggested in the Report is based, inasmuch as, by throwing on the Colonies the primary respon-

sibility of their own defence, and confining the assistance of the mother country to a contribution or a contingent, it involves the smallest amount, consistently with the circumstances of the case, of interference with their freedom and independence of action.

JOHN ROBERT GODLEY.

EXTRACT

FROM THE MINUTES OF EVIDENCE TAKEN BEFORE SELECT COMMITTEE ON COLONIAL MILITARY EXPENDITURE.

MAY 2, 1861.

JOHN ROBERT GODLEY, ESQ., CALLED IN AND EXAMINED.

CHAIRMAN: I believe you are Assistant Under Secretary of State for War?—I am.

Were you a member of the Departmental Committee, to whom was committed the task of preparing a scheme on the military defences in the Colonies in the year 1859?—Yes.

Are you responsible for the Report of that Committee?—I am.

You have also, I believe, written for private circulation, a paper containing remarks on Mr. Elliot's Memorandum, appended to the Committee's Report? Will you put that in?—Yes, with Lord Herbert's sanction.

Those papers, I think, express your opinions upon the subject?—Yes.

I wish to ask you for some explanations on some passages in those papers. Do you not see a difficulty in carrying out the system of a uniform rate of contribution as applied to such differently circumstanced communities as our Colonies?—For my own part, I think it a fair practical compromise; but if anyone thinks otherwise, and proposes a plan for apportioning the joint contribution in a different way, I should make no objection; certainly it does not form an essential or even an

important part of my plan. I wish to say, however, that the plan is not mine; it was proposed to the Colonial Office several years ago by one of the ablest and most experienced of our Colonial Governors, a man who was not at all a *doctrinaire*, but a working soldier, and one as little likely as anybody to be carried away by a specious theory. I would add, also, that the plan adopted with the old American Colonies, of making the Colonies pay for the whole of their expenditure was equally uniform with that which I propose, and that all the objections to uniformity of joint contribution apply equally to it.

Who is the Governor to whom you refer?—Sir William Denison.

What do you consider the leading and essential principle of your plan for the defence of the Colonies?—Colonial responsibility and management, and, as a rule, the contribution of the Imperial Government, if any, in the shape of money only. This was the system pursued with the old American Colonies; Parliament having been in the habit of voting sums of money to compensate them for any disproportionate expenditure incurred by them in the common cause.

Do you think that, if Great Britain left it to the Colonies to defend themselves, there would be great danger of the defence being neglected?—If we judge either by our knowledge of human nature, or by history, we shall come, I think, to a different conclusion. Englishmen have never shown themselves slow in defending themselves, and as a matter of fact, the old American Colonies, to whom the responsibility of defending themselves was entirely left, did successfully defend themselves, so that there was not one of them conquered during the period during which that system was pursued.

Are not the Colonies to be considered as military posts, essential to the interests of the Empire, and which, therefore, the Empire cannot afford to risk the loss of?—I have already said that I think the plan of throwing the responsibility of defending themselves on the Colonists, is the most effectual way of defending them, and that they are less effectually

defended by our garrisons, which are uniformly inadequate, whilst the fact of their presence renders the Colonists unprepared to defend themselves. A remarkable confirmation of this is to be found in the proceedings of the South Carolinians, at the present time. I feel quite sure that, if they had been in the habit of trusting to a Federal garrison to defend them, they would not have taken half such vigorous, or effectual measures of self-defence, as they have done.

You insist much on the contrast afforded by the system pursued with the old American Colonies; do you not think their circumstances were so different from those of the present day, as to prevent the analogy from being a correct one?—No; I think the analogy is complete as regards the present question.

Did they not treat the Indians more unjustly and aggressively than would be tolerated in England now; and were not wars more frequent then?—I do not think that there is any evidence of their dealing with the Indians more cruelly or aggressively than was not only tolerated, but was the custom at that time; on the contrary, their treatment of them was rather exceptionally fair and just, and they dealt with them more effectually, certainly. The consequence was, that I find only one record of an Indian war in the history of New England, for the first half-century after the New England Colony was founded.

Do you not think a nucleus of British soldiers an important element in the defence of the Colonies, to train, and drill and encourage the militia?—Very possibly; and if the Colonists think so, my plan provides that they should be able to carry such a plan into effect, provided England could spare the troops.

Do you not think that the withdrawal of the troops would cause great irritation and excitement, and perhaps run the risk of causing a separation of the Colony from the mother country?—I think that there would be much loud talking and violent writing, because the Colonists, having long been accus-

tomed to have us pay the whole expense, would naturally feel it a hardship to have to pay their share, but I do not think it would involve the slightest risk of a separation.

How do you think that any change could be effected practically in the present system?—In the same way in which Lord Grey effected the change in the plan of defending the Australian Colonies, which in that case produced no permanent discontent.

Do you think that the Colonies generally would acquiesce in such an arrangement?—They would, of course, have to acquiesce, if the same plan which Lord Grey pursued was pursued generally; and I think after a little time they would consider it as the old Colonists did, a matter of pride and privilege to defend themselves.

Mr. ELLICE: You are acquainted with the Colony of North America?—Yes.

You know the state of the defences in Canada?—No, I do not.

Do you believe that if the English Government were to withdraw the garrisons from the forts of Quebec and Kingston, the inhabitants of Canada would undertake the defence of them?—I think they would.

Do you know anything of the expense of stores and artillery required for the defence of those forts?—No, I do not.

Generally speaking, do you think that the inhabitants of Canada, if the garrisons were withdrawn, would undertake the defence of the large forts now in existence in Canada?—I do not know whether they would undertake the defence of those particular forts, but I think they would take steps for effectually defending the province against foreign aggression.

But if they did not undertake the defence of those forts, is it your opinion that they should be abandoned by this country?—Yes.

CHAIRMAN: Do you think, if negotiations were opened with the different Colonies to obtain their consent, the result would be likely to be satisfactory?—No, quite the contrary.

Will they not strongly protest against the change which would involve throwing upon them the responsibility and cost of their own defence?—Most Colonies undoubtedly would, and probably refuse to negotiate on the subject at all.

If it is not to be done by negotiation, in what way, practically, would you have the overtures made by the Imperial Government to the Colonies, with a view to carry out any arrangement?—I have always said I would do what Lord Grey did in dealing with the Australian Colonies, that is, propose the conditions on which the Imperial Government would give assistance, and say, that if they were not accepted, the troops would be withdrawn. I may add, that a similar intimation has since been made to the Government of New Zealand.

Mr. ELLICE: And do you think that the Colonies of North America were in the same relative condition with respect to the military defences with the Colonies of Australia and New Zealand?—There are various differences between them, undoubtedly; but I do not know exactly to what differences you refer.

Have not the North American Colonies, especially Canada, an immense length of frontier to defend against a thickly populated country in the immediate neighbourhood?—Yes; but, on the other hand, they have much greater resources of a military kind from their superior population.

Against what danger have the Australian and New Zealand Colonies to defend themselves?—The danger of an attack by a hostile expedition from a nation with which they might be at war, say France, or America, or Russia.

Have not the North American Colonies to defend themselves against the same danger of an attack by land on an extended frontier?—Yes.

CHAIRMAN: Do you not think that, in the case of war, there are some Colonies which would afford valuable stations for coaling and refitting our ships, such as the Bahamas; is it not worth while to retain such places as the Bahamas, for instance?

—It appears to me, that if those points are essential to the interests of the Empire, the better plan would be, if we were stronger at sea, to occupy them when war broke out; if we were not stronger at sea, our garrisons would be ineffectual in defending them; the plan now is, to scatter garrisons over the world, on the chance that they may be wanted; I should propose keeping the troops at home, and sending them to the places where they were wanted when war broke out; the Bahamas happen to be a case peculiarly in point; I find that we spend about £40,000 a-year upon their defences; so that, since the peace of 1814, we have spent nearly two millions of money in defending the Bahamas, and during all that time, we have never had a force there that could have resisted the crews of two frigates.

I see that in one of your papers, you say that no British Colony, left to defend itself, has ever been conquered; and that, on the other hand, no Colony, of which the defence was entrusted to the mother country, has ever successfully resisted a hostile expedition. Is that actually the case?—As far as I recollect, it is.

Do you think that the presence of the British flag on these stations all over the world adds to the prestige, and consequently to the power of England?—I believe that it adds very much to our weakness. I have never seen a foreign criticism upon the power and troops of England, without observing that the writer considered the necessity of protecting Colonies all over the world as the main element of our weakness.

Do you not think that the circumstances of the West Indies are such as to call for special assistance from the mother country?—I do not think they are such as to call for the necessity of our paying for their police, any more than we are called upon to pay for making their roads, or paying their civil officers.

Is there any rule in the War Department, as to granting, gratuitously or otherwise, stores to the Colonies?—I believe there is no rule.

Mr. T. G. BARING: This is a question which the Director of Stores would probably be able to answer?—I think I know as much about it as he does.

CHAIRMAN: As you know something about it, do you think you could procure for the Committee any information upon the subject, or can you inform us, in order to ascertain the point, whether in some instances stores are given gratuitously, in others payment being exacted for them, without any rule being laid down on the subject?—I believe so, but you can no doubt obtain full information if Lord Herbert chooses to give it.

Mr. BAXTER: Do you advocate the entire withdrawal of British troops from the Colonies of this country?—Not necessarily; I should leave that for the Colonists themselves to settle.

Provided the Colonies are willing to defray the larger proportion, if not the whole, of the expenditure, you would not object to British troops being scattered over the world, as they are at present?—I should not think it a good plan; but if we could spare the troops I should acquiesce in it, in deference to the general principle of letting the Colonists settle for themselves what is the best way of defending themselves.

Why do you not think it a good plan?—Because I think it would be better for them to arm and train their own people; but that is more a military question, and is not one upon which my opinion is worth having.

Your main object is to diminish the Imperial expenditure in respect to the military defences of the Colonies?—No; my main object is to throw upon the Colonists the habit and responsibility of self-defence; it is a secondary but very important object to diminish the Imperial expenditure.

Have not the Australian Colonies acted very liberally in their negotiations upon the subject of contributions?—Most remarkably so; I think they have paid more than their full share.

Then your former remarks with reference to the difficulty of treating by negotiation do not apply to the Australian

Colonies?—No. I do not think it would be a good plan to adopt it in any case; I do not think that you could make exceptions, but I feel sure that the Australian Colonies would object to no such plan; in fact, my plan originated with themselves; it originated with the ministers of Sir W. Denison.

In point of fact, no such difficulties as those to which you have adverted have occurred in regard to the Australian Colonies?—Not at all.

CHAIRMAN: Do I understand you to draw a distinction between negotiation and that mode of action which you suggested on the part of the Imperial Government?—Yes.

Do you characterise the communication which passed between Lord Grey and the Government of the Australian Colonies as negotiation?—No.

Mr. FORTESCUE: It is the case, is it not, that a dependency of the Empire has no control over its foreign policy, but that all its relations with foreign powers are settled for it by the mother country?—Yes.

Does not that fact appear to you to be one of the most important in discussing this question, as giving a dependency a strong claim upon the mother country for protection against those dangers which are produced by her policy?—Certainly; it is the only one that makes it a question at all.

Then are we to understand you fully to admit that amount of claim?—I fully admit it as a claim to the protection of the mother country.

You think that a dependency has a claim to the advantages, as it must submit to the disadvantages, of its dependent position?—Certainly.

Then admitting that claim on the part of the Colonists, and the corresponding duties on the part of the mother country, is it your meaning that the mother country should afford her proper amount of protection to a Colony, not by the supply of Imperial troops but by a contribution of Imperial money

towards the expenses of a local force?—Not necessarily or always, but as a rule; if the Colonists require the presence of troops, I have already explained I would let them have them.

Do you think that the local forces raised in our numerous Colonies, many of which are very small, many inhabited by foreign and mixed races, can ever be brought up to anything like the efficiency of Imperial troops?—Certainly not; by which I mean that undisciplined militia will not be so good as Imperial troops; but if they choose, I have no doubt they could raise, train, and drill, at a certain expense, as good troops as we have; it is a mere question of money. I do not think it would be a good plan for them to do so.

Do you think it possible, at all events in the smaller dependencies of the Empire, that local forces should be created which should attain to anything like the efficiency and *esprit de corps* of the British regiments?—I think it highly improbable that they ever should do so; but I do not think it impossible. I repeat, I should consider it an exceedingly inexpedient plan, for the smaller Colonies at any rate, to attempt.

Then you confine your proposal to the larger Colonies?—Not at all; I should leave it to the Colonies themselves to settle the details of their responsibility and management. I simply propose to acquiesce in their arrangements.

These local forces would, of course, be confined to the Colonies in which they were raised?—That would depend upon the Colonies themselves. In the times of the old Colonies of North America they were not so confined, but made war on the king's enemies in other parts of the world, West Indies as well as in other parts of America.

Do you think it would be a good bargain for the Imperial Government to contribute sums of money towards the expense of local forces throughout the Colonies, which you admit must be inferior to the Imperial troops, and which, at all events, as a general rule, must be confined to their own Colony, and could not admit of being moved and handled by the Imperial Government for the general purposes of the Empire?—I should

consider it a very good bargain, under the conditions I have stated repeatedly, both in this examination and in the papers I have put in. I am sure the saving of money would be very large, and I think the Colony would be better defended.

Do you think that the entire withdrawal of the presence of British soldiers from any part of the Colonial Empire would not mainly tend to check and lessen the Imperial feeling in our different Colonies?—I do not think so.

Are you aware that in many cases the Colonists themselves entirely differ with you upon that point?—My only surprise is that all do not differ from me; people generally do differ from every one who asks them to pay.

Are you aware that when the question has been put to the Australian Colonies whether they preferred to raise a local force, or to pay for a certain quota of Imperial troops, they have given reasons, entirely irrespective of the party who is to pay, in favour of the presence of a small body of Imperial troops rather than of an attempt to raise a local corps?—I am quite aware of it, and my plan provides that they should be able to do so if they like.

You said just now that Englishmen are never slow to defend themselves; has it escaped your notice that a considerable portion of our dependencies are inhabited mainly, not by Englishmen, but by people of foreign races, either European or aboriginal, and do you think that one uniform scheme can equally apply to dependencies of such different origins?—I have not proposed that it should; in those places which are not properly Colonies, but only garrisons, I have proposed that the whole expense should be defrayed from the Imperial Exchequer. I allude to such places as Malta, Bermuda, and others.

Would you be prepared to withdraw the Imperial garrison from such a Colony as the Mauritius, in case the Colony of Mauritius declined to accede to the proposed scheme?—The Mauritius is another doubtful case upon which a military opinion would be more useful than mine; but my own opinion

is, that it would be better to trust to occupying the Mauritius when war broke out, than to keeping a garrison in peace time in case it should be wanted, because I feel sure (as the question implies) that the population of Mauritius are not inclined to defend themselves. It would, therefore, be merely in that case a question of economy with me whether it would be better to garrison it now, or to take it afterwards; at any rate, the best military authorities tell us that the garrisons and the fortifications we now maintain are inadequate; so we have the expense without the security.

Supposing the dependencies of the Empire, finding themselves left without that amount of protection from the mother country to which they consider themselves equally entitled in all the dangers that may be created by the policy of the mother country, should be prepared to place themselves under the protection of some other power, do you think that in that case the mother country would be fairly in a position to refuse her consent to that course?—I do not think it would ever be expedient or desirable for the mother country to retain her dominion over any Colony that deliberately wished to withdraw itself from it.

But in the case I suppose, would not the inclination to transfer themselves from this country to another, have been directly produced by the policy of the mother country herself? —I think the motive does not signify at all, if any Colony deliberately, and after proper means of consideration were given, desired to separate itself from this country, I do not think it would be desirable to retain its allegiance by force. I do not of course speak of garrisons, such as Malta or Bermuda.

Although that inclination not now existing would, in the case supposed, have been produced by our own policy?—By whatever motive it might have been produced. I must guard myself, however, from being supposed to admit that it would be the effect of the plan I am proposing.

Do you not think that most of our Colonies are, in the very nature of things, dependencies, and if not dependencies upon

this Crown must be upon another?—I can hardly answer that question as you put it; I do not think that all are, but I think some are.

Do you think that the small Colonies could ever answer as independent communities, or must they become the dependencies of some other power if they are not retained as ours?—I think that there are very few of them that any other power would take on condition of having to defend them. The Mauritius is almost the only exception I know.

Are two of our Colonies, at least, in the peculiar position of being liable to great and sudden danger, not from foreign forces, but from formidable native tribes within their borders or within their frontier, New Zealand and the Cape?—Yes.

Would you not look at the case of these two Colonies as a peculiar one?—In that respect they are peculiar.

Are you prepared to advise that the defence of such Colonies should be looked upon as a matter of internal police, or of protection against foreign danger?—I think that at the Cape it might be looked upon as protection against foreign danger, but in New Zealand as matter of police. In New Zealand the tribes in theory are, and practically might be made to be, subjects of Her Majesty; at the Cape the Kafirs are foreign nations; but I do not admit, practically, the effect of your question.

Are you not aware that the tribes of New Zealand are, to a great degree, semi-independent?—They are; but they need not be.

Do you think it possible to treat those dangers as a matter exclusively of Colonial arrangement, just as you treat protection against the danger of internal disturbances in an ordinary English community?—I have already drawn a distinction between New Zealand and the Cape. In New Zealand they say, "Give the Colonists the power exclusively, and without "interference from home of dealing with the native question." There I think the responsibility and expense of dealing with the natives may be entirely left to them.

Do you think that the duty of keeping order amongst the foreign and mixed communities which constitute many of our Colonies, such as the West India Islands and the Mauritius, could be treated simply as a matter of police in a homogeneous English community?—I think it should be so treated, upon condition that the Colony is not interfered with in its management of such races from home.

Mr. ADDERLEY: You say that the relation of a Colony to foreign powers, depending upon the mother country, gives that Colony a claim upon the mother country?—It is the only thing which gives them any claim.

I presume you do not mean that it gives them a claim to the entire protection of the mother country?—Of course not.

It gives them only a limited claim?—A claim to such protection as the mother country may think it right and fair to afford.

In answer to a question just now, you stated that Canada was more exposed to danger than Australia. Do you think that that fact gives Canada a larger claim to the protection of the mother country than Australia?—No.

You do not think that the greater exposure to danger is a ground upon which the claim might be calculated?—No; I think that is one of the necessary incidents to every community of its geographical position, and an evil that it must bear with, and cannot expect some one else to bear. In the case of Canada, if the danger is greater, the means of resisting it are greater too.

The greater exposure to danger does not, in your opinion, increase the claim of the Colony upon the mother country?—I have already answered that.

Would not the present plan of Colonial defence, undertaken by England, require us to increase very much the fortifications and garrisons of the various parts of the Colonies, if it is to be carried out effectually?—Undoubtedly.

Then you think that, to make the present plan of Colonial defence complete, a large expense must be incurred?—Yes.

It would be a part of that plan to increase the dispersion of British troops in distant parts of the world?—I do not say that; it would increase the force of the garrisons.

And it would increase the number of British troops dispersed through the world in distant places?—Yes.

What would be the effect of that dispersion upon the resources of England, in case of a general war?—Of course it would weaken it.

Would it not amount to England, having a large portion of her forces locked up in distant parts of the world, and her own resources for any general war proportionately diminished?—Yes.

In your opinion, did the plan of scattering troops, during the Russian war, in garrisons of distant Colonies, lead to England being obliged to levy foreign mercenaries to supply the requirements of her own army?—It led to a dimunition of her military powers, and that was one way in which she endeavoured to supply it.

Do you think, that if the garrisons of England in Colonial forts at that time could have been made available, they would have rendered foreign legions needless?—I cannot answer that question.

They would have gone so far towards it?—To that extent they would have strengthened the British army.

Can you state what number of troops England had in South Africa when the Indian mutiny broke out?—I do not know exactly, but, speaking roughly, and from recollection, I think it was about 13,000 of all arms and ranks, but that may be exactly ascertained.

Upon the news of the Indian mutiny arriving at the Cape, does it appear that the troops, at that time in South Africa, were made available towards its suppression?—I do not remember the dates exactly; a considerable number of troops were sent.

You have stated that, under the Colonial system of England in the last century, the Colonies of America undertook their own defence, both internal and external?—Yes.

Do you see any reason why the Colonies of England, at the present moment, should not act exactly in the same manner?—Absolutely none; all the same arguments which apply to the Colonies now, applied to the Colonies then.

There is no reason to suppose that English Colonists now are degenerated in spirit from the English Colonists of the last century?—No.

Have American Colonists kept in check all attacks upon them by the American Indians?—Yes.

And also sometimes from the regular armies of France?—Yes.

Are you aware that during the Spanish Succession War the English Colonists added Nova Scotia and Newfoundland to the possessions of the English Crown?—Yes.

Are you aware that in the subsequent Austrian Succession War of 1745 the Colonial troops reduced the great fortress of Louisbourg?—Yes.

Are you aware that in the Seven Years' War the French regular army attacked the Virginian Settlement, and that the Virginian militia alone repulsed them?—Yes.

Can you state when English troops were first sent to the assistance of Colonial forces in America?—The first time I recollect to have observed that was in the expedition that took New York in 1654. I have given these instances at large in the paper which has been put in, and I would rather refer to that than speak from recollection.

Can you say when it became the habit of England to send troops there?—When Braddock went to America in 1757; I think that was the commencement of the system of keeping standing armies in America; and, just at that time, the provisions of the Mutiny Act were extended to America.

Which of those considerations tended most, in your opinion,

to the ultimate separation of those Colonies from England?—Neither of them otherwise than indirectly; but I do not think that the English Government would ever have attempted to infringe upon the rights of the Colony; or to tax them without their consent, unless they had had a standing army in the Colony; and, therefore, indirectly, the presence of a standing army there was the cause of the American war; besides which, the necessity of billeting and providing transport for the troops was felt as a grievance by the Colonists.

Do you think that the Colonists, before the introduction of the Munity Act, being still entitled to the defence of their own Colony, any discontent was produced which led to the final separation of the Colonies?—Absolutely none; there is not the remotest particle of evidence of it. They considered it a privilege to provide for their own defence, and considered the presence of a British army a grievance.

What was the feeling of the Colonists towards England when the war first broke out?—That of enthusiastic loyalty.

Can you state at all with regard to the Colony with which you are personally acquainted, New Zealand, whether the action of the troops there recently in connection with the local force, has been satisfactory?—Very much the reverse, as my own accounts lead me to believe. I was going to ask leave just now in answer to a question that was put to me, to read an extract from a letter which I have received from Mr. FitzGerald, who is Superintendent of Canterbury, and was Prime Minister of the Colony at one time.

Will you read that extract?—It is to this effect: "Govern-"ment formally declines our offer to volunteer to the Taranaki "war. The Queen's army is hanging like an incubus on the "Colony, doing nothing itself, and preventing any one else." That is the opinion of a very intelligent Colonist.

Do you believe that that Colony would be both willing and able to develope volunteer forces to a large extent?—I am quite sure it is able, but I do not say that it is willing, unless we make it imperative.

CHAIRMAN: Do you know whether the force in the Province of Canterbury has been paid for out of the funds of the province, or entirely by private efforts?—I am not quite certain; I think it has been armed by the province, but I am not sure that it has been so paid.

Mr. ADDERLEY: Supposing the evidence to be true, which we have heard from the two Governors of the West India Islands, that the British troops in those Islands are utterly valueless against external attack, and can only be of any use in preserving internal peace both against the population, and against the doubtful fidelity of the black troops, would your views upon Colonial policy lead you to recommend the entire withdrawal of the British troops from those islands?—Certainly.

Do you see the necessity for retaining troops in any one of them, in Jamaica, for instance?—No.

When you said that if the West Indian Islands ceased to be dependent upon England, they would probably become dependent upon some other powers; I conclude that that opinion was given upon the assumption that other powers had gained the command of the seas?—I did not say that they would be dependencies upon other powers.

Do you think that they would?—I think that the West India Islands would be likely, under any circumstances, to prefer connection with the English to connection with any other power, nor do I believe that even if their connection with England terminated, they would attach themselves to another power.

Do you think that any power could hold the West India Islands against us without the command of the seas if we chose to take them?—I am quite sure they could not.

Have you stated your views as to the value in an Imperial point of view of the garrison of Halifax?—I have not; but the observations I have made generally apply to Nova Scotia as well as to other places. The Nova Scotians are perfectly

well able to defend Halifax just as New England, with a smaller population, was able to defend Boston.

We have it in evidence that Halifax, as a strong post upon the American coast, is important to Imperial interests. Supposing we retained Bermuda, and effectually garrisoned her, would it not sufficiently answer these Imperial purposes?—That is hardly a question I can answer; that is a question for naval and military men; but I think that Bermuda could not defend itself, and I think Nova Scotia could.

I see in Mr. Elliot's portion of the Report, in which you have taken a share, that one reason assigned for England contributing towards the expenses of the defence of Ceylon is, that there are large works going on in Ceylon for railways and other purposes, and that if money was defrayed to pay their defences they would have less for their public works. To your mind, does that seem a good reason why the military expenditure in the defence of Ceylon should fall upon this country?—No; that is equivalent to saying that we ought to contribute towards the railways.

I have an extract from a speech which Sir George Grey, the Governor of the Cape, made in the City of London, before his recent return to that Colony, in which he expresses his opinion that the Colony sufficiently contributes towards the military expenditure of England in its defence, by purchasing commodities from England, which by the taxation on the export brings money into the English Exchequer. Is that a view of the subject which you consider reasonable?—I think it might as well be said that they contributed to the expense of the French army, because when they purchase commodities from France they pay taxes in France.

In fact nothing would satisfy your view of Colonial policy, short of the Colonies themselves undertaking the first responsibility of their own defence, and we contributing such a quota towards their external defences as may be reasonable on the ground that they are involved in England's foreign policy?—That is what I propose.

Is there not some consideration the other way for England, in the way that England is involved in warfare by Colonial interests and relations?—Undoubtedly, and that should never be forgotten. Within the last twenty years we have been three or four times on the verge of war with America, upon purely Colonial questions in which this country was not interested. I refer to the Maine boundary question, the Fisheries of Newfoundland, and many others.

Should you not say that, in the long run, England incurs as many liabilities by her Colonial relations as the Colonies do by their implication in English foreign policy?—No, I should think not.

In the case of the Cape, where you say you think that the Kafirs may be looked upon to a certain extent as foreign enemies, the expense of all the wars which have been created by the relation of the Cape with the mother country has fallen upon the English Exchequer?—Yes.

Many millions have been so spent?—Yes.

To what extent should you say that the proper claim of the Cape upon England for protection goes towards England defraying the expense of such wars?—I cannot say to what extent. I should be sorry to bind myself to any particular proportion of contribution. I have already said that I think half and half is a fair rough compromise, but I do not adhere to that very particularly. It is quite impossible upon any system to make a theory of joint contribution. You must have a practical compromise, and in the case of the Cape, I should be satisfied to make such a practical compromise.

Do you see any difference in the question as it relates to the Kafir frontier, and as it relates to the garrisoning of Cape Town?—Yes, there is a difference, of course.

Do you think that England is more properly liable to the expense of garrisoning Cape Town than to the expense of defending the frontier?—So far as the Colony has more the means of procuring or avoiding war in one case than in the other.

Do you see any danger in England undertaking, as she does, with the exception of one force, the whole defence of the frontier of the Cape, leading to extravagance in such wars?—Yes.

Do you see, also, any danger in the way of its keeping up the recurrence of such wars?—I think so.

Mr. FORTESCUE: With respect to Mr. FitzGerald's letter, do you think that the people of the Northern Islands, who are exposed to those native dangers from which Mr. FitzGerald is free, would agree with him that the presence of an Imperial force is a mere incubus?—I dare say they would not; many of them would be glad to have the Imperial troops do everything. I am only quoting the opinion of Mr. FitzGerald as a spectator.

Mr. FitzGerald does not mean to say that he does not wish the authority of the Queen to be asserted, and the Colonists to be protected in some way from native dangers?—Certainly not; but he means to say that it would be better done if left to the Colonists themselves.

But those who are really exposed to the dangers in question, you think would not agree with him?—Very likely not; I cannot say to what extent that opinion is held; but I know that all the Colonists are dissatisfied with the way the war has been carried on.

You said just now that we have been several times on the brink of war with the United States, arising out of purely Colonial relations; is it not the case that, upon those occasions, the policy to be pursued was entirely a question for the Imperial Government?—It was wholly for the Imperial Government; but it was a question that had reference solely to Colonial interests.

But whether it was worth while to carry on such a controversy, or to maintain such a claim as might result in war with the United States, was entirely a matter within the discretion of the Imperial Government?—Of course.

Do I understand you to say that, in allotting a certain amount of Imperial protection to the Colonies, the actual danger to which any Colony is exposed ought not to be any element in the calculation?—I do not think you could estimate that with any precision, especially as the means the Colony might possess of resisting danger would have in that case to be considered too.

So that you would contribute the same amount of protection, and no more, to the Cape, with its formidable native tribes, and to Victoria, where there are none?—I have already explained, that I do not consider the rate of contribution on the part of the Imperial Government essential or even important; and therefore if it is considered better to allow a varying rate, I should be quite satisfied with it; but, as I said before, the essential principle, in my opinion, is that the Colony should be responsible primarily, and that the assistance of the Imperial Government should be only given in the shape of a contribution. Upon the question upon what principles or in what ratio that contribution should be given, I think that half and half is a fair compromise; but I should be quite satisfied with any other ratio of contribution that might be considered more fair.

You say that that is not to vary with the danger to which a particular Colony is exposed?—My opinion is that it should not; but I do not consider that question as at all an essential or important one.

You think, for instance, that the existence upon the frontier of Canada of a first-class foreign power, with which Canada is liable to be involved in war, not by her own act, but by the policy of the Home Government, should be no element in calculating the amount of assistance to be afforded to Canada?—My opinion is that it should not. I have already explained why I think Canada would be better defended without our assistance, as given at present.

Do you think that there is no difference between the date of things now existing in America, and the condition of things in those times, to which allusion has been made, when that great foreign power in the United States was a dependency?—On the contrary, I think that you had then, as an immediate neighbour, a far more formidable power, viz., the French; and on the other side a more formidable naval and military power, the Spaniards; so that in fact, I think that the danger of our New England Colonies from foreign aggression, was infinitely greater than the danger of Canada from foreign aggression by the United States.

Was not the French power in America at that time insignificant?—On the contrary, it was most formidable.

Was it anything to be compared with the power of the United States?—Certainly; it far exceeded it for aggressive purposes, although not for defensive purposes.

With respect to the practical steps which you would advise should be taken, do I understand you to mean that the Imperial Government is to make up its mind as to the amount of assistance which it will afford to the several Colonies, to say to each of those Colonies that that is the determination, and to abide by that determination irrespective of the effect that may be thereby produced upon the feeling of attachment of the Colonists?—Yes, as Lord Grey did with the Australian Colonies, and with the most complete success.

Do you think that the case you have just alluded to affords at all a parallel to what would be the consequence of such an announcement throughout the various Colonies of the Empire?—I have already explained what I think the consequences would be.

But whatever the consequences may be with respect to the feelings, or the allegiance of the Colonies, that is the course which you think the Imperial Government ought to take?—Yes, as the only practical course.

Mr. ADDERLEY: Can you draw any such distinction between the case of India, and that of other dependencies, as would justify our requiring India to pay its own military expenses, whilst we pay those of other Colonies?—No; I think there is none.

THE END.

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